

GENERAL GOMES DA COSTA

DESCORRIMENTOS E CONQUISTAS

I

O INÍCIO DO ULTRAMAR PORTUGUÊS

1415—1495

*Ma volgendosi gli ani, io veggio uscire
Dall' extreme contrade di Ponente,
Novi Argonaute e novi Tafi, e aprire
La strada ignota, infin al di presente.*

ARIOSTO—*Orlando Furioso*—C XV



O Infante D Henrique

"Todos os trabalhos corporaes, ainda que grandes sejam, são estimados em pouco, tomados na vontade com alguma esperança dalgum prazentero fim, com que se sustem grandes trabalhos assim que o esperado contentamento do fim, dá forças ao sustentamento dêles

Eu, como tomasse este de escrever as obras feitas nestas partes até ao presente, com muito contentamento meu quiz por em lembrança os ilustres feitos, pelo querei de Deus tão milagiosos como poi sua misericordia mostrou, acabados poi mãos de portugueses e bons capitães, nos alicerces do começo desta maravilhiosa obra, que por inveja do pecado malino os foi danando e pervertendo nos males presentes, semeados de cobiça tyrana, com que os bens preciosos se tornam em males publicos.

E porque a esperança do descanso e prazer deste meu trabalho assim fica em vão, não vendo nenhuma emenda de castigo em tais males, mas crescimento em outros melhorados, e disto ver assim fico cansado, mais não quero escrever pragas, e males, que a ninguem será prazer ouvir e ler dêles memoria

Não sei de que Rei e principe do mundo fora a India que pelos males que nela são feitos até hoje, com muy verdadeira justiça não tiveram mortos cem homens ao menos, pois que em Portugal enforcam um homem por uma manta do Alemtejo que fuitte, mas é de crer que assim padeçam porque são pobres, e não padecem os ladrões da India porque são ricos

Pelo que é bem que mais não escreva . com que a India é chegada ao estado em que está".

Gaspar Correia — *Lendas da India*

«Nenhuma cousa desta vida humana é tão aproveitavel aos viventes, que lembrança e memoria dos bens e males passados, para do mal nos guardarmos regendo a vida para nele não cairmos, segundo os bons fizeram »

Gaspar Correia — *Lendas da Índia* — 1 p. 1

«Se hoje nos toca contemplar envergonhados e impotentes a nossa nullidade estacionaria e o progresso inaudito dos demais estados, em quem, outrora, nossas prosperidades dispertavam invejas não queiram ainda roubar nos a última consolação da gloria adquerida, e a memoria dos dias venturozos Já agora, que poderá confortar-nos, na quadra triste do abatimento»

José Torres — *Originalidade da navegação do oceano*

«Hoje ainda, depois de tantos seculos de aventura, nós somos ainda, o povo de aventura. Indolentes na patria amanhando sem entusiasmo um solo uberrimo que se desentranharia em maravilhosos fructos se lhe dessemos francamente, todo o trabalho dos nossos braços e todo o pensamento do nosso cerebro Discursadores e declamadores aem iniciativa nem ação mudamos completamente, apenas transpomos as barras dos nossos rios»

Pinheiro Chagas — *Descobrimentos portuguezes*
— p 104.

«Não ha duvida que as navegações deste Reino, de cem anos a esta parte são maiores mais maravilhosas de mais altas e mais discretas conjecturas que as de nenhuma outra gente do Mundo Os Portuguezes ousaram cometer o grande Mar Oceano Entraram por ele sem nenhum receio Descobriram novas Ilhas novas terras novos mares novos povos — e o que é mais — novo ceu e novas estrelas»

Pedro Nunes — *Tratado em defezação da carta de marar*

"Ora manifesto é, que estes descobrimentos de costas, ilhas e terras firmes, não se fizeram indo a acertar. mas partiram os nossos mareantes muito ensinados, e providos de instrumentos e regras de astrologia e geometria, que são as cousas de que os cosmographos hão de andar apecebidos, segundo diz Ptolomeu no primeiro livro da sua geografia".

Pedro Nunes — *Definição da Carta Náutica.*

"Pois esta obra é compilada, segundo a pouquidade do nosso engenho, a nós parece ser digna cousa e boa, que aqueles que foram companheiros do Mestre em seus grandes e virtuosos trabalhos, houvessem quinhão de alguma lembrança que sómente ficasse em escrito, cá, se o esquecimento dos grandes tempos gasta a fama dos excellentes principes, muito mais alongada idade soterra os nomes de outras pessoas dentro do movimento com elles"

Fernão Lopes — *Crónica de D. João I* —
vol. II, p. 98.

"Mas como meu intento, (como atiaz deixo dito), não foi outro senão deixar isto a meus filhos, por carta de ABC, para aprenderem a lêr por meus trabalhos, não me dou muito escrevel-o assim toscamente como eu o soube fazer, porque entendo, que o melhor destas cousas, é tratá-las eu, da maneira que a Natureza me ensinou, sem lançar circunloquios, nem palavras alheias com que apontasse a fraqueza do meu curto engenho, porque temi que se isso fizesse, me tomassem com o furto nas mãos, e dissesse por mim o rifão comum —
«donde veio a Pedro falar galego».

Fernão Mendes Pinto — *Peregrinação.*

"A curiosidade celtica, o iluninismo semita e a cobiça carthagineza, abafaram a efflorescencia ideal da abstracção politica. O Imperio não passa dum esboço. O plano nunca chega a ter execução firme. Em via de construção, ainda, principiou logo a derrocar-se. Descobriu-se a India em 1498, e já no tempo de Camões, com menos de um seculo, em 1570, era uma Babylonia. O Imperio esvaia-se nos fumos de que Albuquerque falava."

Oliveira Martins — *Os Lusíadas.*

«Pelo que é necessario que escreva eu aqui o que sobre este negocio passa, pois me a mim coube o trabalho e os aneis de pedras preciosas a Ruy de Pina que lhe Afonso d'Albuquerque mandava para escrever com melhor vontade os memoraveis feitos que ele fez na India como o meu João de Barros o diz na Historia da Ázia»

Goes — *Crônicas d'Elrei D Manuel* —
IV parte.

«E porque, nas cousas d'África que escrevo nesta chronica pode ser que vão lançadas, fora do seu logar e do tempo em que aconteceram saiba quem delas puder alcançar tanto que para arguir este erro em que porventura já cahi e poderi cahir que a culpa d'isto não é minha senão dos capitães dos lugares que então tínhamos em África os quais pela mór parte não acostumavam pôrem nas cartas que mandavam a Elrei mais que os dias e os meses em que escreviam deixando os anos por esquecimento o que me deu até agora, muito trabalho»

Goes — *Crônicas de Elrei D Manuel*.

O presente livro é uma simples concatenação do que melhor e mais exacto se tem publicado, sobre os descobrimentos e conquistas dos portuguezes, com o fim de vulgarizar os formidáveis trabalhos desta nossa Nação, territorialmente tão pequena, mas dotada dum génio tão grande, que poudes talhar para si, um lugar primacial na História da Civilização Humana.

Todos êsses formidáveis feitos, verdadeiramente épicos, todo êsse esforço sem par, precisam ser remomerados duma forma simples e vulgar, para que o Povo conheça o seu papel no passado, e a sua missão no futuro

A Nação que tão elevada, audaciosa e inteligentemente contribuiu para a civilização humana, tem direito a que, ainda hoje, a considerem, — e com êsse fim, ainda, preciso é vulgarizar-se a sua história

Foi com essa intenção que nos lançamos a êste trabalho, e ela desculpa o atrevimento de nos metermos em emprêgo de tão grande monta, visto que outros, melhor dotados e providos, o não quizeram fazer Mas como diz o nosso Gaspar Correia, "todolos trabalhos corporaes, ainda que grandes sejam, são estimados em pouco, tomados na vontade com alguma esperança d'algum prazenteiro fim, com que se sustentam grandes trabalhos ..."

E o "prazenteiro fim" para nós, consiste em vulgarizar entre o Povo os feitos épicos dos nossos antepassados.

GENERAL GOMES DA COSTA.

PARTE I

O Início do Ultramar Português

1415-1495

PARTE I

O INÍCIO DO ULTRAMAR PORTUGUÊS

1415-1495

I — Introdução

O objectivo do presente livro é a vulgarização dos feitos dos Portugueses no Ultramar, tornando conhecidos da grande massa da população, a origem, desenvolvimento, e decadência do Império Colonial Português. Não é portanto, êste, um trabalho inventivo — é um resumo histórico, uma compilação dos nossos cronistas e dos modernos historiadores nacionais e estrangeiros, reunindo assim, numa obra única e resumidamente, toda a epopeia dos descobrimentos.

E, por esta fôrma cremos vulgarizar os grandes feitos dos homens, que num esforço único na História da Humanidade, justificaram a nossa existência como Nação independente, que soube impôr-se ao respeito e admiração de todos os povos cultos.

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Terminada no comêço do século XV a longa luta em que afirmaram as grandes qualidades de energia, perseverança e sobriedade, os Portugueses tinham necessariamente de procurar um novo campo de acção em que a raça se expandisse — daí provieram as explorações ultramarinas, hábil e tenazmente dirigidas pelo homem superior que nesse momento histórico surgiu — *O Infante D Henrique*.

Feitos os primeiros descobrimentos, dobrado o Bojador e o Cabo da Boa Esperança, assentes as bases do Império Colonial Português por Albuquerque, seguiu-se o alargamento da esfera de acção portuguesa, infe-

lizmente porém já tocada dos germens da desordem que a havia de aniquilar

O primeiro Vice-Rei da Índia o nobre D Francisco de Almeida baseava toda a sua administração na criação de *feitorias litorais* que bastassem ao estabelecimento e manutenção das relações comerciais sistema análogo ao que os Árabes tinham encontrado já no Oriente

Afonso d'Albuquerque teve um plano diametralmente oposto a sua ideia era a *constituição dum Império* o que exigia o domínio territorial assegurado pela *ocupação*, isto é, pela construção e manutenção de fortalezas os chefes indígenas que se submetessem seriam conservados, passando a feudatários ou vassallos de Portugal os que se não subordinassem seriam destruídos

Fundando se em que a exiguidade da população de Portugal não permitiria a ocupação de territórios tão vastos e distantes da mãe pátria o Vice-Rei D Francisco d Almeida escrevia a El Rei D Manoel

— «Que toda a nossa força seja no mar desistamos de nos apoderar da terra e desterroremos estas gentes novas — Afghans e Árabes — e assentemos as velhas e naturais desta terra e costa e a nossa supremacia marítima nos assegurará o monopólio do comércio em que pese a Turcos e Venesianos *Que toda a nossa força seja no mar* onde nos manteremos fiscalizando a navegação e o comércio Para assegurar a exportação da pimenta bastava no seu entender um castelo em Cranganor, dominando o vau do rio por onde passava o caminho para Calicut.

Albuquerque esse, admirador de Alexandre, tinha um plano de muito maior envergadura e que procurou executar pôsto que sempre contrariado pela exiguidade dos recursos de que dispunha

Na sua carta de 17 d'outubro de 510 em que preparou El Rei D Manoel para a conquista de Goa diz lhe

«As cousas de Goa são tão grandes e tocam tanto à segurança da Índia e a tudo que nos cumpre e desejaes assim para gastos despesas, etc. que me parece que sem ela não poderéis sustentar a Índia que por ser possuída desses Turcos extrangeiros sempre sol guerrelha mais que outros logares e sempre daí saíam d'armada e sempre ouve corações»

Em carta de 513 diz que, se tivermos boas fortalezas em Dlu e Calicut não devemos ter receio de quantas armadas contra nós se organizem na Índia

«Se do vosso conselho conhecessem as cousas da Índia como eu não deixariam de dizer que V A. nunca poderá dominar um território tão vasto *tendo a sua força e poder só no mar* com um tal sistema apenas faremos a vontade aos Mouros pois eles sabem muito bem que um domínio apenas assente no mar não pôde ser duradouro e eles desejam manter a posse do território e fazer o seu negocio de especularias»

Em carta de 1 d'abril de 512 acrescenta «V A tem Goa nas mãos e tendes a mór cousa destas partes para snlocar a Índia e a terdes socogada que em vosso poder hade fazer pagar tributo a El Rei de Narsinga e a El Rei Diquem O Rei de Narsinga para segurar Baticála (Bathcal) e seus portos e o comércio dos cavalos hade fazer o que vós quizerdes e o Sabalo para segurar Dabul dará as terras de Goa Dentro em pouco sereis o mais rico Rei da cristandade para isto porém, é indispensavel socorrer nos com homens e armas e manter feitorias bastante fortes para se Imporem

Em todas as cartas de Albuquerque aparece, evidente o desejo de fundar no Oriente um Império subjugando todos os pequenos soberanos da Índia Também em todos os escritores estrangeiros transparece a adm

ração que lhes causa um tão pequeno país, como Portugal, de tão escassa população, aspirando a dominar com uma dúzia de navios e alguns centos de homens, todo êsse vasto e populoso Oriente Na carta de 4 de Dezembro 1513, diz ele. "Sómente digo, Senhor, que façaes fôrça no mar Roxo, que se não poderá ver a riqueza que haveis, e como todo o ouro que entra na Índia, da terra do Preste João, estará todo na vossa mão, sem nenhuma duvida, afóra o gasto do cobre e mercadorias desses Reinos, do que se pode haver gran soma de direitos na Índia"

Infelizmente para nós, prosegue êle, temos na Índia grandes competidores nos árabes, que ha séculos se assenhoraram do comércio, a contento dos indígenas, e com os quais estavam ligados por sólidos laços que os Portugueses teriam de romper violentamente, se queriam substituí-los

Dois processos encontrava para o conseguir ou comércio ou fôrça O primeiro era difícil pois os Portugueses não eram hábeis bastantes para competir com êles, portanto, teve de se adoptar o segundo, do que resultou a furiosa luta em que os árabes foram apoiados pelo Turco e pelo Soldão do Egipto, tão interessados, como êles, porque o comércio continuasse seguindo o caminho do Mar Vermelho, inundando as suas terras, de ouro Naturalmente, os soberanos da Índia, sobretudo os mahometanos, receberam os Portugueses com má cara, e fácil foi leva-los a guerrearem os recém-chegados Quem mais se distinguuiu desde o princípio, nestas hostilidades, foi o Samorim de Calicut, a êsse tempo o mais poderoso soberano do Malabar

A tomada de Goa, trouxe-nos mais um poderoso inimigo, o *Adil, Shah ou Sabaio*, — que arrastou consigo o Sultão de Cambaya, depois, as violências cometidas pelos capitães subalternos, acabaram por indispor contra nós a Índia em pêso, e todas as Nações mahometanas do Oriente.

Não é possível defender em absoluto os processos adoptados pelos Portugueses para destruir o comércio dos árabes, mas a verdade é que com o golpe que no Oriente demos a êsse comércio, lucrou a Europa inteira, e destruimos o grande poder da Turquia, o tradicional inimigo das Nações Ocidentais Entrava precisamente nesse momento o Império otomano num período de decadência, aos primeiros chefes hábeis e valorosos, tinham sucedido outros, fracos e viciosos, que levaram o país à derrota de 1571 — Patrás — o que lhe tirou de vez as veleidades de conquista da Europa, e lhes arrancou das mãos o comércio dos produtos do Oriente em proveito de Veneza e da Liga dos Estados Mediterrâneos

É fácil, assim, de compreender as resistências e dificuldades que Portugal encontrou nas suas relações com a Índia, entre as quais, não foi a menor, a obrigação que lhe impoz Alexandre VI de propagar o Christianismo, o que provocou as violências que nos inimizaram com os indígenas, e nos conduziram à ruína pela multiplicação das ordens religiosas, que absorveram todos os rendimentos e até toda a autoridade do Estado

A derrota de Alcácer Kibir e a subsequente absorção de Portugal pela Hespanha, não só desorganizou todos os serviços, como ainda, desviou todos os rendimentos das colónias para a tentativa Castelhana de subjugação da Flandres, e como êles no seu estado actual não fôsem suficientes, adoptou-se o expediente do sucessivo aumento dos impostos e taxas pautais, estas, sobretudo, tão graves, que fizeram fugir todo o comércio, transformando em desertos e ruínas, cidades florescentes e ricas como Ormuz, Calicut, Cochim, Quiloa, Malaca. A desorganização, o relaxa-

mento dos governadores e outras autoridades a corrupção do funcionalismo, consequências naturais daquele estado de cousas vieram acabar de desmorronar o Império

Em 1630 Pombal mandou proceeder a um inquérito sobre as causas da decadência commercial da Índia e nesse inquérito depõe a Associação dos mercadores de Lisboa afirmando que essa decadência provém da aplicação dos rendimentos da Índia à execução dos projectos de Filipe III na Flandres e à manuteção das ordens religiosas na Península

Diogo do Couto acrescenta que os governadores da Índia não se preocupam com a administração os funcionários só pensam em enriquecer rapidamente os soldados em se divertir e gozar o merecimento individual não conta, só as protecções tem valor

Dos Vice-Reis diz elle "que parece cousa vergoohosa e de grande escândalo ver o que muitos Vice-Reis tiram daquele governo de três anos que não é sabido nem entendido o número de dinheiro que embolsam"

Durante os sessenta anos do domínio Castelhana predominam os interesses destes sobre os nossos e quando finalmente Portugal se liberta em 1640 o comércio português estava completamente arruinado e os irmãos da Espanha, agora, recusavam restituir nos as colónias de que se tinham apoderado durante aquele tempo

Em carta de 19 de dezembro de 1720 o Vice-Rei Saldanha da Gama acentua que a ruina provém da falta de comércio e que este desapareceu devido ao terror que a Inquisição espalhou de forma que os negociantes mahometanos tinham todos fugido das colónias portuguesas para Bombaim e outros pontos fora da nossa acção indo fazer prosperar o comércio inglês

Como a liberdade de acção dos governadores fôsse apenas limitada pelos recursos financeiros de que dispunham a sua responsabilidade era apenas moral não havia forma de lhes tomar contas e esta é a razão por que ainda hoje, não é possível englobar num juizo único os homens que governaram a Índia houve os grandes enormes gigantescos mesmo pela sua intelligência, percepção e intenções como Afonso d'Albuquerque D. Francisco d'Almeida, e em plano inferior áqueles D. João de Castro houve os como D. Duarte de Menezes e D. Garcia de Noronha que deshonraram o cargo pela sua desenfreada cubice houve-os, como Nuno da Cunha que souberam manter o prestígio do nome português ou como D. Henrique de Menezes e Jorge Cabral que deixaram bom nome honve-os como Martim Afonso de Sousa, mixto de qualidades e vícios valente e bandido houve outros mais ainda cujos nomes apenas servem de marcos miliários oa história da Índia e dos quais pouco ou nada há a dizer além dos seus nomes e duração do seu governo

Ao estudarmos porém os successos que os diversos períodos históricos apresentam é de justiça que levantemos a accusação repetidas vezes feita contra os governadores de lhes faltar honestidade. Antes de formar qual quer juizo sobre esses homens precisamos ter em attenção a época e o meio em que viveram então a confusão entre as funções militares diplomáticas e commerciaes era enorme e era isto o principal factor de desorganização Resgatavam os governadores por conta do rei resgatavam os capitães por conta própria resgatavam os soldados nos limites das suas posses e daquella provincia a fúria de enriquecer a sede de ouro e chafinagem que obscureceu a nossa glória militar

O Vice-Rei da Índia D. Francisco d'Almeida escrevia logo no começo da conquista — "Torno a lembrar a V. A. que nunca seréis bem

servido enquanto vossos officiaes da justiça e fazenda fôrem tratantes mercadores" (1)

Pag. 16 — 4.^a linha

Onde se lê: Em 1630 Pombal mandou proceder. . . .
Deve lêr-se Em 1630 Filipe III mandou proceder, etc . . .

prejudicial à sua consciencia e fazenda dar as capitancias, feitorias e outros officios da India em pagamento de serviços" (2)

Francisco Rodrigues da Silveira, assentia, — "que onde os roubos chegam mais ao vivo, é na fortaleza d'Ormuz" (3)

Em 1551, um capitão d'Ormuz D Álvaro de Noronha, respondia aos reparos que lhe faziam sobre a sua prevaicção "que outro tanto fizera o capitão passado, o qual sendo *Lima*, levára 140 mil pardaus, e que, pois ele era *Noronha*, havia de levar muito mais" (4)

A desorientação da cubiça era tal, que, quando em 1535, Tristão de Athayde tomou Bachau, nas Molucas, foram-se às sepulturas dos Reis e levaram as ossadas, "cuidando que depois lhas resgatariam" (5), e, efectivamente, para obter a paz, o Rei deu 200 bahares de cravo

A licença e a impunidade eram tais, que só lhes poderiam resistir consciências de tempera especial

Situações havia que exerciam uma influência particularmente desmoralizadora, nos espíritos, exemplos Ormuz com a sua alfândega, Molucas com o seu cravo

Fidalgos devassos, desumanos, brutais, cubiçosos, ferozes e crueis, encontravam no ultramar vasto campo para dar largas às suas índoles perversas, agravadas pela rudeza da época, e da educação, exarcebadas pelo clima e pelo meio corrupto do Oriente Tal era aquele Pero Lopes de Souza, duro e mau para os seus soldados, e que no alto mar, manda lançar pela borda fora da sua nau, uns pobres negros que nela tinham embarcado sem sua licença E aquele D Jorge de Menezes que assulou os seus cães contra um chefe indigena que previamente fizera amarrar, e à sua vista o rasgaram e mataram

Seria um nunca acabar, se quizessemos citar os casos de indisciplina e traição, intriga e violência

Mas, a par de tanta torpeza, quantas nobilíssimas figuras de guerreiros e de santos não aparecem! É Duarte Pacheco, tão bravo como desinteressado, é D Lourenço d'Almeida simples e heroico, com as pernas quebradas por um pelouro, amarrado a um mastro e comandando, é D Francisco d'Almeida, o sábio e ponderado Vice-Rei, é o colossal Afonso d'Albuquerque, um super-homem quasi, sem rival na história colonial do mundo, é D Fernando de Castro fazendo-se matar para que o não julguem medroso, é D Luiz de Menezes, que se indispõe com o irmão quando reconhece ser êle um bandido, é Heitor da Silveira que para não deixar de servir, se alista como soldado, é António da Silveira, o épico capitão de Diu, é António Galvão, o apóstolo das Molucas, é S Francisco

(1) *Lendas da Índia* — Gaspar Correia — I parte II, p. 897.

(2) *Carta ao Investigador Português XVI* — 270

(3) *Memórias dum soldado da Índia* — Costa Lobo — p. 126.

(4) *Subsídios para a História da Índia* — Cartas de Simão Botelho — p. 32.

(5) Gaspar Correia — *Lendas da Índia* — III — p. 637.

Xavier o grande santo políaco hábil e providente e mais e muitos e tantos que conseguem apagar as nódoas de crueldade rapina e sordidez dos outros

E de resto que admira que homens vindos da penumbra de Idade média cometessem atrocidades para incutir o terror indispensável para equilibrar a inferioridade numérica quando vemos muito depois, já no século XIX soldados franceses fazerem muito peor na Península?

As barbaridades cometidas pelos Portuguezes no Oriente são consequências da época, exigências do meio, resultados do tradicional ódio entre cristãos e mahometanos que vinha já da Península Hispânica, e o fanatismo tem sempre em todos os tempos perpetrado crimes análogos e mesmo, muito peores

Pela audácia e pela grandeza a história da conquista do Oriente pelos Portuguezes é única, não temos rival em todo o mundo e a consciência do que fizemos e do que valem os é o que nos tem conservado de pé através dos séculos independentes e de cabeça erguida —apesar de tudo!

II — A situação em Portugal

A primeira e mais antiga informação sôbre a Espanha respeita ao estabelecimento dos fenícios em *Tartassus*, que compreendia o território onde corre o Guadalquivir. Na opinião de alguns, Tartassus era o Tarshish da Escritura, como expressão geográfica é antiquíssima e encontra-se no Génesis X 4, como sendo um dos lugares povoados pelos filhos de Japhet.

Os fenícios faziam um grande comércio para além das colunas de Hercules, muito tempo antes do reinado de Salomão, cujos navios, — os navios de Tarshish — traziam “ouro e prata, marfim e pavões a Jerusalem” I Reis X 22

Segundo Strabo, começam os fenícios a estabelecer-se nesta costa pouco depois da guerra de Troia, sendo a sua mais importante colónia *Gadeira* ou *Gades* (Cadiz) que se presume ter sido fundada no ano de 1100 A. C., as suas outras colónias eram Malaca, Abdera e Carteia, hoje Malaga, Almeria e Racadilho

Disfrutaram os fenícios o exclusivo do comércio de Tartassus até cerca do ano 630 A. C., quando Caloeus, um armador de Samos em viagem para o Egipto, é atrado para além das colunas de Hercules, desembarcando em Tartessus, com o que abriu uma nova estrada comercial aos Gregos. Não tardaram os fenícios a segui-los, descobrindo a costa oriental da Ibéria e chegando no ano de 600 A. C. às bôcas de Rhodano

Tornada colónia Fenícia, Carthago passou a negociar com a Ibéria, e num dos seus tratados com Roma em 509 A. C., estabelece-se que os Romanos e seus aliados não navegariam para além das colunas de Hercules. Os cartagineses tiveram grande influência no país, e numa das suas guerras contra os gregos, já no exército de Amílcar aparecem Iberos

Atraídos pelas minas de prata, os cartagineses acabam por se estabelecer na Iliaca, que ficava próximo de Nova Cartago

Quando a influência Cartaginesa na Sicília decresce, Amílcar Barca, projecta um novo império na Ibéria e funda Barcelona, e após a sua morte seu genro Asdrubal funda Nova Carthago, hoje Cartagena

Em 154 A. C. os Romanos cooperam na monumental derrota infligida aos Lusitanos, os quais em 161 A. C. se revoltam contra Roma e a guerreiam sob o comando de Viriathus, até Roma lhes reconhecer a independência

Em 132 A. C. a Lusitânia é novamente submetida aos romanos pelo Cônsul Junius Brutus. Em 97 A. C. os Celtiberos sob o comando de Sertorius revoltam-se contra Roma sendo submetidos só em 71 A. C.

Sob o governo de Augusto a Ibéria é dividida em três províncias: a Lusitânia, a Boetia e a Tarraconensis. A Lusitânia corresponde ao moderno Portugal, sendo dividida em três distritos: Emerita Augusta (Merida), Pax

Julia (Beja) e Scalabis (Santarem) Lisboa, então povoação insignificante, com o nome de Olisipo, passou a município romano com o nome de Felicitas Julia.

Em 409 o ano em que Alarico saqueou Roma uma onda de bárbaros — Suevos Alamos e Vandalos — invade a Ibéria os Vandalos e Suevos apossam-se da Galiza os Alamos espalham-se por Cartagena e Lusitânia a Bética fica para os Silingi ramo Vandalos expulso depois pelos Wisigodos de Ataulphus, e o filho deste Walla funda em 415 o reino Wisigothico de Espanha, que uma vez independente de Roma inicia o período de civilização cristã.

No começo do século VIII (em 711) Muza o governador de África incitado pelos traidores Coo de Julião e Bispo Oppas manda lovar a Espanha pelo seu general Tarik. Este atravessa o Estreito com doze mil homens quasi tudo Berberes descendentes dos Vandalos expulsos de Espanha pelos Godos três séculos antes desembarca na Andaluzia próximo a Gibraltar e derrota o exército wisigothico em 19 de Julho nas planícies de Xerez junto ao Rio Chryssus rio que depois disso se chama Guadalete corrupção do árabe Wad-el leded ou rio dos deleites A batalha durou oito dias e nela morreu Roderico o ultimo Rei Gothico

Tarik apodera-se successivamente de Malaga, Granada Cordova Sevilha e Toledo a capital dos Espanhoes, e os restos do exército godo sob o comando de Theodomiro refugiam-se nas montanhas de Murcia e na Asturia.

A Tarik succede Musa, que submete Saragoça e Barcelona e por fim a Espanha toda, à excepção da Galiza

Os árabes que a principio demonstraram uma grande tolerância religiosa passaram pouco a pouco a perseguir os cristãos provocando uma reacção que Pelayo dirige de forma que o seu neto Afonso I consegue formar um Reino cristão ao norte do Douro e o seu successor Afonso II lança os árabes para além do Ebro

A partir de então, os Mouros são gradualmente batidos e formam-se os Reinos cristãos de Navarra Leão Aragão e Castela que no meado do século II se transformam sendo os dois primeiros absorvidos pelo ultimo e a partir dessa data toda a história da Espanha gira em torno dos dois reinos de Aragão e Castela, que durante dois séculos mais tem de sustentar luta contra os Mouros

No extremo occidental da Europa por muito tempo do período histórico a densidade da população era minima. Os fenícios gregos cartagineses e romanos encontraram povoações disseminadas que robusteceram com cruzamentos Ao começarem as invasões wisigothicas havia já uma civilização na Península.

A invasão árabe dinamizou os povos peninsulares acentuando os caracteres de todas as espécies norte africanas por forma que quando os godos dos Asturias puderam abater as armas do Islam foram por seu turno vencidos pelos vencidos que os dominaram não só pela força das armas como pela sua grande cultura

A tendência de cruzamento dos neo Godos da Península com as raças inferiores ficou de tal forma impressa que na história da nobreza Peninsular prepassam as moiras do conde de Bolonha e vemos a citana Violante Gomes — a pelicana — agitando a pandereta e dançando nas festas de Evora em volta do infante D Luis seduzido pelo encanto mágico da boémia

Em 1065 Afonso VI de Leão e Castela apodera-se de Toledo após um cerco de tres anos de duração

Pelo casamento de Fernando de Aragão com Izabel de Castela em 1069 principia a história de Espanha como reino único

Quando em 1087 Afonso VI de Leão e Castela declarou guerra contra Toledo, pede auxílio a Filipe I de França e ao Duque de Borgonha com cuja filha casara, e por essa ocasião passa para Hespanha um certo número de cavaleiros franceses entre os quais o Conde Raymundo de Toloza e o Conde Henrique, irmão mais novo de Henrique de Borgonha. Após dois ou três anos de serviço, o Conde Raymundo casa com a filha legítima do Rei, D. Urraca, recebendo em dote a Galiza, e o Conde Henrique casa com D. The-reza, filha natural do Rei, que lhe leva em dote, as terras do Pôrto e Coimbra, por êle, Henrique, conquistadas aos Mouros

O novo Soberano, com o título de Conde Portucalensis estabelece-se em Guimarães, onde morre em 1114, sucedendo-lhe o filho D. Afonso Henriques. É êste o verdadeiro fundador da Monarquia, que passa uma vida inteira batalhando para alargar os seus Estados.

A 26 de Julho de 1139 derrota os Mouros numa batalha campal em Ourique e ali se faz aclamar Rei, a 25 de Março de 1147, tomou Santarém e a 28 de Junho de 1158, auxiliado por uma armada de Cruzados Flamengos, Normandos e Ingleses que ia para a Terra Santa, apodera-se de Lisboa, a Olyssipo ou Ulyssipo de origem fenícia, a Lashbuna ou Oshbuna dos árabes, e Felicitas Julia dos Romanos

Afonso Henriques morre em 1185, e seu filho e sucessor D. Sancho I, auxiliado por outra armada de cruzados, toma Silves, — 1189 É esta a primeira vez que na História figuram navios portugueses — algumas galés (1)

Afonso II toma Alcácer — 1217 — ainda com auxílio dos Cruzados, D. Sancho II prosegue na conquista do Algarve, conquista que Afonso III conclue em 1249. Estava geográficamente constituído o país, e assim o recebe D. Diniz em 1279

No reinado de Afonso III começam as relações de Pôrtougal com Inglaterra, e D. Diniz faz o 1º tratado comercial com Eduardo I em 1294. É também D. Diniz quem primeiro organiza uma marinha militar, e para servir nela contracta o genovês Emanuel Pezagna

Porque foi contratado para almirante Mice Manuel Pessanha? Antes da sua vinda a Pôrtougal já havia marinha com seus almirantes, mas, agora, a rasão foi política. O Reino estava dividido em 2 facções: uma do Rei, outra do Príncipe D. Afonso, e, tendo morrido o almirante Nuno Fernandes Cogominho, que se bandeara com o Príncipe, não quiz o Rei que lhe succedesse o filho, e preferiu confiar o cargo a um estrangeiro, alheio às discórdias políticas, a exemplo de que por vezes se praticara noutros países. Em 1373, é almirante, Lançarote filho de Manuel Pessanha, título que recebeu de D. Pedro I por carta patente de 26 de Junho de 1352 (2).

Emanuel Pezagna é o *primeiro almirante*, após a morte do *Conde do Mar* Nuno Cogominho em cuja família êste cargo andava (contracto de 1 Fevereiro de 1222 na História geneal. Provas, I, 95)

Em 1344 Eduardo III de Inglaterra manda a Pôrtougal os Earl de Lancaster e Arundel para firmarem um novo tratado, e pouco tempo depois Andrew de Oxford, Richard de Saham e Filipe de Boston.

D. Pedro I manteve algumas relações com a Inglaterra onde reinava,

(1) As crónicas do tempo de Afonso Henriques falam em Fuas Roupinho que bateu os Mouros no Cabo Espichel, e correndo a costa fôra aportar a Ceuta, é porêem um personagem duvidoso emquanto não apareçam novos documentos da sua existência além da lenda tradicional

(2) Azurara — *Chron. III.* 21 — Fernão Lopes — *Chron. IV.* — 12.

ainda, Eduardo III que em 1352 dirige uma proclamação aos seus súbditos para que tratem bem os Portugueses que visitem os seus portos e em 20 de Outubro de 1353 as cidades marítimas de Portugal mandam a Inglaterra Afonso Martim Alho para completar o Tratado de 1344

Em 1367 sobe ao trono D Fernando cujo casamento com D Leonor Teles provoca grandes desordens no Reino e a Revolução donde sai o Mestre d'Aviz D João nomeado *Defensor do Reino* — 6 Dezembro 1383 — e provocou a invasão de Portugal pelos Castelhanos



John of Gaunt

A 6 de Abril de 1385 as Córtes aclamam o Mestre d'Aviz, Rei e este pon-do-se à testa das forças Portuguesas bate os castelhanos na memorável batalha de Aljubarrota — 14 de Agosto

A 19 de Maio de 1386 é assinado o tratado de Windsor que estabelece a aliança entre Portugal e a Inglaterra a 20 de Julho o Duque de Lancaster John of Gaunt a instancias do Papa Urbano VI desembarca na Corunha e a 2 de Fevereiro de 1387 a aliança Luso britânica é confirmada pelo casamento de uma das filhas daquelle Duque D Filipa com o Rei D João I. Deste matrimónio saiu a pléiade de mais famosos príncipes que houve em Portugal

D Duarte 1391 depois Rei D Pedro 1392

depois Regente D Henrique 4 de Março de 1394 o Iniciador dos descobrimentos portugueses D João 1400 D Fernando o Infante Santo 1402 D Isabel 1397, que casou com Filipe o Bom de Borgonha e foi mãe do famoso Carlos Temerário

Durante os trinta anos que se seguem a Aljubarrota cria-se uma geração cheia de espírito de aventura energia e carácter, — é a geração dos soldados de Aljubarrota e Trancoso

Ao terminar uma luta de tantos anos difícil é a qualquer país voltar ao equilíbrio e às suas occupações de paz fica nos espíritos uma grande excitação que exige movimento e applicação das energias. Uns saem do país em busca de aventuras e vão pela Inglaterra França e Alemanha tais foram D Álvaro Vaz d'Almada que se notabiliza a ponto de receber a Jarreteira o Infante D Pedro que com Soeiro da Costa percorre as *Sete partidas do Mundo*, e outros que vão para o cerco de Arraz, combater sob as ordens do Sire de Colchebrune

O reino estava finalmente tranquilo e era indispensável empregar toda

essa gente que na guerra crescera e vivera e se não habituava facilmente às ocupações da paz, e os Infantes por seu turno, exigiam um emprêgo que lhes porporcionasse ocasião de serem armados cavaleiros. Procuravam de balde essa oportunidade, quando um dos Conselheiros do Rei, João Afonso d'Azambuja pronunciou um nome — Ceuta! (1)

Foi esta expedição de 1415, uma verdadeira cruzada, o início de expansão de Portugal, dando-lhe um território para alcançar o qual era preciso atravessar um braço de mar e, portanto, criar uma marinha, e que lhe ia servir como escola de guerra, onde se preparassem os soldados que mais tarde iriam conquistar o Oriente.

Ao iniciar as explorações ultramarinas tinha Portugal uma população de um milhão de almas ou sejam 12 habitantes por quilómetro quadrado. A agricultura, único campo de acção desta gente, não era bastante para lhe fornecer a alimentação precisa — sendo necessário recorrer a frequentes importações de cereais. O território achava-se repartido em vários domínios pela nobreza e clero, os impostos eram pesados e mal distribuídos, e as leis destinadas a proteger a agricultura davam por vezes resultados contrários, como sucedeu com a lei das *Sesmarias*, (incultos), promulgada em 1375 por D. Fernando, com o fim de fazer aumentar a área cultivada.

O início da expansão colonial veio agravar a situação agrícola já precária, e por fim D. João I, (1335-1433), cedendo aos nobres que o ajudaram a subir ao trono, numerosos domínios que se juntaram à massa já exagerada dos latifúndios, ainda mais complicou a situação. Gado não havia, porque as leis obstavam à sua venda fora dos distritos, sujeitando aquela a tantas formalidades que ninguém queria criar.

A indústria textil pouco valia. Linhos grosseiros e burel, num ou noutro ponto, ainda se trabalhava na seda, como no tempo dos árabes, mas esta indústria só se valorizou na segunda metade do século XV, as outras indústrias não valiam mais, e até ao reinado de D. Manuel, as próprias armas vinham do estrangeiro.

A costa era povoada por gente que procurava nas indústrias de pesca e do sal os seus meios de subsistência. Lisboa, Aveiro, Setúbal e o Algarve pescavam muita sardinha, atum e baleia, e estes pescadores, activos e atrevidos, não se limitavam a explorar o litoral da Península e iam até às costas de França e de Inglaterra, onde Eduardo III lhes concedeu licença em 1353, para pescarem nas águas inglesas durante 50 anos.

“Sachent touz que, comme les bonnes Gentz, Marchauntz, Mariners, et les Comunalties de la Mariase des cités et villes de Ulixabon et de Port de Portugal, du Royaume et de Segnurie de Roi de Portugal et du Algarbe, eient envoye, Alfonse Martin, dit Alho, leur Message et Procureur devers le Treexcellant Prince Monseur Edward par la grace de Dieu, Roi de Engleterre et de Fraunce, de traiter des Amistés et fermes alliances entre les Gents.

Item, que Personners de la Marisme et Citées avant dites puissent venir et pescher fraunchement et sauvement en les Portz d'Engleterre et de Bretagne et en touz les lieux et Portz ou ils vourront, payantz les Drotz et les custumes a les Seigneurs du Pays. Doune en Loundres, 20 octob l'an de grace 1353.” (2)

(1) Rebelo da Silva — *História de Portugal* — IV — p. 411 e 647 — Oliveira Martins — *Os filhos de D. João I.*

(2) Santarém. — *Quadro elementar* — p. 43 e seg.

Nesse tempo ainda as baleias frequentavam as nossas águas Os forais de Oaya — 1293-1396 — estabelecem

«Item mando quod maior domus habeat medietatem de sardo de tunia et delphino» (1)

Num contracto entre El rei D Fernando e a ordem de S Thiago sobre as dizimas do peixe que entrava por Cezimbra Almada e Palmela diz se

«E se porventura alguma baleia baleote ou sereia se tomarem» (2)

Em carta de El Rei D Afonso IV ao Concelho de Tavira refere-se à pesca da baleia (3)

A pescaria do atum no tempo d El Rei D Fernando rendia para o trono *oitenta contos* segundo o livro antigo dos almadravas Doadas por El Rei D Duarte ao Infante D Henrique em 1433 as pescarias de Lagos foram o viveiro onde o Infante recrutou as guarnições dos seus varreais e galés enviados à descoberta.

Todo o tráfico se fazia por mar por não haver estradas nem animais de carga nem meios de atravessar os rios Forçado a procurar no estrangeiro o que precisava e as suas indústrias lhe não forneciam cedo estabeleceu Portugal relações comerciais com a Holanda Inglaterra e países do Mediterrâneo Havia então estabelecidos em Portugal muitos comerciantes estrangeiros um diploma de D Pedro I (1357 1367) cta o direito concedido aos mercadores Genoveses Escoceses e Milanezes de fundarem associações comerciais. Ao casar com Filipa de Lencastre D João I concede aos mercadores Ingleses estabelecidos em Lisboa privilégios iguais aos que os genoveses possuíam (4)

Por seu lado os mercadores portugueses introduziam nos mercados estrangeiros os vinhos e azéites de Portugal No fim do século XIII e começo do XIV encontramos comerciantes portugueses em Harfleur Rouen, Burges em 1418 obtiveram neste ultimo porto, privilégios iguais aos que ali gozavam os Castelhanos No começo do século XV o comércio de importação e exportação fazia se principalmente por Lisboa que gosava de numerosos privilégios Fernão Lopes diz que pelos anos de 1367 a exportação anual era de 12 mil tonéis de vinho e que ocasiões havia em que no Tejo se achavam 400-500 navios à carga e descarga a alfândega de Lisboa rendia 35-40 mil dobras — 850 contos

A selva de navios fundeados no Tejo em frente da cidade era tanta que os barcos da outra banda não podiam cruzar entre elles e iam tomar terra em Santos e havia já então navios de coberta de lotação média de 100 toneis

Oliveira Martins donde extraimos estas informações julga não exagerar elevando o movimento marítimo anual do Porto de Lisboa, a 250-300 mil toneladas.

Quem girava com este comércio marítimo eram principalmente estrangeiros Lisboa era então no dizer de Fernão Lopes «grande cidade de muitas e desvairadas gentes

(1) Lacerda Lobo — *Pescarias na Mem Econ. II*

(2) Mon. Lus. VIII — L. 22. c. 30.

(3) Oliveira Martins — *Portugal nos Mares*

(4) Oliveira Martins — *Portugal nos Mares*

Havia meicadores *estantes* (residentes), genoveses, lombardos, aragoneses, marioquinos, milaneses, corsos, biscainhos, os quais "faziam vir e enviavam do Reino grandes e grossas mercadorias" (1)

Existia já então uma marinha mercante, e sabe-se da existência duma associação fundada em 1293 para mandar navios para a Inglaterra, Flandres, Normândia, Rochela, Sevilha, e portos do Levante. As cartas da Flandres citam navios portugueses naufragados nas suas costas: em 1382 um navio português naufragou em Nieuport, e um outro defronte de Blankenberghe. Temos, ainda, a confissão de salvo condutos passados aos portugueses por Philippe le Hardi em 1387, os privilégios que concede Jean sans Peur em 1411 aos "marchans, maistres de nef, maroniers e subgies du royaume de Portugal", em favor dos valores e mercadorias que transportassem por mar ou por terra (2)

A associação de 1293 parece ter tido uma existência efêmera: não passou duma tentativa infeliz (3)

Para animar a construção de navios de longo curso, D. Fernando (1367-1383), forneceu materiais sem pagamento de direitos

"Vendo D. Fernando o proveito que haviam, (os mercadores), das mercadorias mixtas que do Reino eram levadas, e trazidas outras em navios estrangeiros, era melhor para os seus naturaes, e que vinha muito maior honra á terra havendo nela muitas naus, as quais o Rei podia ter mais prestes quando cumprisse o seu serviço, do que as das primeiras dele alugadas, ordenou para os homens haverem mór vontade de as fazerem de novo, ou de as comprar feitas, qual mais sentissem por seu proveito, que aqueles que fizessem naus de 100 toneis para cima, podessem talhar e trazer para a cidade, de quaesquer matas que d'Elrei fossem, quanta madeira e mastros para ela fôsse mister sem paga alguma por ela, e mais que não dessem dizima do ferro, nem do fullame, nem de outras cousas que de fora do Reino trouxessem para elas, e quitava todo o direito que havia de haver aos que as compravam e vendiam feitas" (4)

Para animar ainda mais a navegação, "dava aos senhores dos ditos navios, da primeira viagem que partiam dos seus reinos carregados, todos os direitos das mercadorias que levassem, assim de sal como de quaesquer outras mercadorias que da primeira viagem trouxessem da Flandres, ou outros logares

Os armadores ficavam isentos da obrigação de ter cavalo e do serviço militar, "de fintas, talhas, nem cizas que fôsem lançadas por êle, nem para o concelho, nem em outra nenhuma cousa, salvo nas obras dos muros"

Estabeleceu também o registo marítimo e a estatística e, uma caixa de seguros cooperativa, mas os navios ficavam obrigados a armar para a guerra quando o *prol communal* assim o reclamasse, das prêsas que se fizessem, metade era para os senhores dos navios e metade metida na bolsa, para *prol de todos*

(1) Oliveira Martins — *Portugal nos Mares* — p. 22, e seg.

(2) Vandem Burcshe — *Flandre et Portugal* — p. 48-82

(3) Rebelo da Silva — *Hist. de Portugal IV* — 1.º e seg.

(4) Oliveira Martins — *Portugal nos Mares* — p. 22 e seg.

Tai era a situação geral quando João Afonso d'Azambuja pronunciou a palavra — Ceuta.

D João I sempre ponderado e pouco inclinado a aventuras levou cinco anos a ruminar esta ideia e só se decidiu a incitações do Bispo de Braga e do chanceler João das Regras (1) Mais difficil foi convencer a Rainha e cujo génio prático desagradava a ideia de conquistas distantes e que doente, se sentia acabar

O Condestável esse retorquiu de pronto

— O que a mim me parece é que este feito não foi achado por vós nem por nenhuma outra pessoa deste mundo sómente que foi revelado por Deus!

Passava no ar o vento quente do sul (2) trazendo o cheiro acre da charneca e fazendo vibrar as folhas das azinheiras com um som metálico de combates distantes. Mais uma vez os corações dos dois companheiros de armas batiam a um mesmo compasso

O Prior do Hospital foi a Ceuta reconhecer a praça e voltou com as informações necessárias. E Portugal impossibilitado de se expandir na Península viu se forçado a embarcar

Ceuta foi a primeira viagem Alcácer Kibir seria a ultima

*Erguida em frente ao mar (3) como um anfiteatro cujos primeiros degraus as ondas constantemente aspergem o território português independente adquiriu desta localização um carácter seu e se temos uma fisionomia moral distinta em ser diversa também as condições do nosso território nos dão um género de destino diferente, mas encaminhado a um mesmo fim. As navegações e descobertas são a nossa glória a nossa maior façanha. Mareando a interrogar as mudas ondas construímos conquistando derrocámos. Navegadores e não conquistadores desnudámos todos os segredos dos mares mas o nosso império no oriente foi um desastre para nós» (3)

*A bordo fomos tudo em terra apenas pudemos demonstrar o heroísmo do nosso carácter e a incapacidade do nosso domínio. Façanhas de homens que dirigem instintos devotos e pensamentos de cobiça eis o que nós veremos ser o nosso império oriental. Epopela de espírito indaga-lor audaz e paciente as nossas navegações as nossas explorações colonias tornam nos os génios desse elemento místico para o qual porventura a nossa alma célica nos atrai. Quando à Europa humilhada o astelhano impõe a lei com a espada e o mosquete nós amarrados ao banco dos remeiros, segurando o leme ferrando as velas alargamos mar fora a nau, com o olhar prescrutador sncado nos astros que nos guiam.

*Vamos de manso ao longo da costa. Ninguém nos vê. Só as ondas ouvem as melopeias monotonas dos marinheiros cujo ritmo obedece ao ritmo do quebrar das vagas contra o costado (3)

(1) Azurara — Chron. III 21 — Fernão Lopes — Chron. IV 12

(2) Oliveira Martins — Os Filhos de D João I — p. 32 — A Vida de D. João I —

(3) Oliveira Martins — História de Portugal I — p. 25

III—A África

Os estabelecimentos árabes da costa oriental — Os indígenas — O Monomatapa

Encastelada nas suas elevadas montanhas, defendida pelos seus caudalosos rios onde as cataractas se despenham com fragor, e pela linha baixa, pantanosa, febril das suas costas, rodeada pelo mar Tenebroso, que as lendas árabes representavam desfazendo-se em vapores ardentes e lodo líquido para além da Nigricia, a África era um vasto motivo de terror, e por isso mesmo uma tentação para espíritos aventureiros, e esta é a razão porque a história dos descobrimentos exerce tão extraordinária fascinação sobre quantos a estudam, e particularmente, sobre nós portugueses, ao lembrar-nos que durante um século inteiro fomos o único povo europeu que manteve contacto com a África misteriosa e com o Oriente encantado (1)

Ibn Khaldin, repetindo a ideia que de tempos imemoriais se fazia do Atlântico diz-nos, já do fim do século XIV, que é elle "um vasto e ilimitado oceano, onde os navios se não aventuram a engolfar-se perdendo a terra de vista, porque ninguém sabe para onde as correntes os arrastarão'."

O Atlântico, era o *Mar Tenebroso* o mar dos mistérios, das vizões, dos monstros, dos perigos, do sobrenatural

Quo ferimur? ruit ipsa dies, orbunque relictum

Ultima perpetuis claudit natura tenebris.

A mais remota referência ao Atlântico, encontra-se num fragmento das obras de Theopompo — sec IV A C. — que se refere a uma grande ilha para Oeste das Columnas d'Hercules, povoada por gigantes, noção proveniente das informações que Solon recebeu dum sacerdote de Saiz, e que Platão transcreveu no seu Timeo e Critias Essa grande ilha, maior que a Europa e a Ásia juntas, era a *Atlântida*, que uma formidável convulsão geológica subverteu

Os fenícios, êsses grandes navegadores da antiguidade, já antes da fundação de Carthago, no século IX A C possuíam colonias na costa Ocidental Africana, mas faziam segredo das suas explorações, para evitar concorrentes

A mais notável ocupação daquela costa é a do Carthaginez Hanon, o qual com sessenta embarcações e trinta mil homens fundou Hymaterion

(1) Major — *Vida do Infante D Henrique* — Oliveira Martins, *Historia de Portugal*.

na embocadura do Beragrav levantando no promontório Soloeis hoje Cabo Catim um altar a Neptuno descendo depois até Safim explora a foz do Liceus (hoje Sus) e assenta mais três colónias — talvez Mogador Wade Beni e Agader — visita a Ilha de Cerné e Herné esse braço de mar a que mais tarde, os portugueses, põem o nome de Rio do Ouro

Subindo o Chretes ou Chermetes — o braço norte do Senegal — entra no lago Nginer e voltando para sul atinge Cabo Verde a foz do Gambia e o golfo de Geba ao norte do Rio Grande

Proseguindo, avista um grande monte a que põe o nome de Theon Ochema — o *Carro dos Deuses* — que é talvez, o cabo Sagres na Guiné, e vai terminar a viagem três dias mais abaixo no *Corno do Sul*.

Aristóteles descreve o Chretes como sendo o maior rio Africano com a mesma origem que o Nilo donde parlu a tradição da origem comum do Nilo do Egypto e do Nilo dos Negros que veio até aos tempos do Infante e valeu ao Senegal durante muitos anos o nome de Nilo A grande montanha que Hanon contornou, deve ser o Cabo Verde. Esta grande viagem que durou alguns anos foi gravada em língua Persa numa lápide do templo de Carthago e mais tarde talvez no séc. IV A. C. traduzida para grego língua em que chegou aos nossos tempos. Herodoto retere também a viagem de circumnavegação da África pelos Egyptios no reinado de Necho II no ano de 604 A. C. Em 480 A. C. Satarpes sobrinho de Dário navegou no Estreito e dobrou o Cabo Catim (Soloeis)

Ha ainda notícia vaga duma viagem do geógrafo Eudoxio Cysico na Mysia no fim do século II A. C. e de outra duns marinheiros africanos no século XV ao sul do Equador No ano 60 A. C. Nero enviou uma expedição a descobrir as origens do Nilo expedição que chegou á confluência do Sabet. Os árabes apparecem na Nigera no século VIII partindo de Marrocos e do Egipto e sob a sua influencia formam se estados poderosos dos quais ainda hoje resta o de Bornu nesse século e Islan alastrou pelo reino de Ohana na bacia do Goliba onde reinam vinte e dois monarchas antes de Hegira os Ptolomens abrem um canal no Egipto ligando o Mediterrâneo ao Mar Vermelho

No ano de 893 estabelecem se relações commerciaes entre Wargla ao Norte do Sahara e Gozo a capital do Estado Songhal na bacia media do Niger e em 1009 Za Kazi o décimo quinto chefe da primeira dinastia Songhay abraça o Islam

O grande Imperio Mandinga de Mali (Mali) que comprehende grande parte do Sudan occidental e muito do Sahara além Niger forma se sobre as ruínas de Ohana, no século XIII sendo então grande parte do território visitado pelos árabes

A mais antiga descrição da terra dos negros é a de El Bekri em 1068 segue se em importância a geographia de Edrizi 1154 preparada pelo conde Roberto da Sicília e acompanhada por um curioso mapa que nos mostra as posições relativas de Kuku Hanem Kuara Oeber-el Komer (as montanhas da lua) e as origens do Nilo Na *geographia* do árabe Abu Al Fadá que inclui a de Ibn Said (meados do séc. XIII) diz nos este que um mouro chamado Ibn Fálmah viajando na costa africana naufragara em Nacul Lamtha (Wad mun um pouco ao norte do cabo Nio) e num batel fôra ate ao cabo Branco — Aldjibel Alamar — nome derivado do seu aspecto brilhante e aí encontrara um grupo Berbêre da tribu Jedala que em camelos o transportaram até Taggaz em 20° de latitude De todas as informações de descobrimentos esta é a unica que faz presumir ter sido o Bojador dobrado na Edade Media

Apoiados em fantasiosos mapas teem alguns especuladores procurado

demonstrar que o Cabo da Boa Esperança fora dobrado antes do tempo do Infante D. Henrique, citando com este fim principalmente, a carta de 1306 do Veneziano Marius Sanuto (1), e o mapa conjectual de Fra Mauro, feito em 1454, onde vem marcado o *Cabo de Diab* que pretendem fôsse o Cabo da Boa Esperança e que vem desenhado, separado do continente africano por um estreito, onde, diziam, reinava a treva absoluta, basta isto para nos demonstrar a fantazia de tal mapa. Fra Mauro, nas indicações com que acompanha o seu célebre mapa, é o primeiro a fazer justiça aos portugueses, escrevendo

“Muitos pretendem que este mar, — o Atlantico, — não pode ser *tornado*, nem navegado, nem tem habitantes nas suas praias, como a nossa zona temperada, mas é *agora* de toda a evidencia que se pode sustentar uma opinião contraria, *principalmente porque os Portuguezes que o Rei de Portugal mandou nas suas caravelas para verificarem este facto, referiam, depois de se terem certificado eles mesmo*, que tinham explorado esse continente pelo espaço de mais de duas mil milhas, desde o sudoeste do estreito de Gibraltár, que em toda a parte os recifes das costas não são perigosos, que as ondas são boas, que a navegação é facil ” (2)

Com Ibn-Batuta de Tanger entramos na era das explorações modernas. Comissionado pelo sultão de Marrocos para visitar Timbuctu, a esse tempo capital do império Songhay, este inteligente e audaz viajante partiu de Fez em Junho de 1352, atravessou o Sahara ocidental, visitou Timbuctu, desceu o Niger até Gogo, explorou Tekkada, Agadés, Melli e Zanzibar. Só parte da descrição desta viagem, descoberta no Cairo no séc. XIX por Buchart, chegou até nós.

As explorações árabes acabam com El-Hassan-Ibn-Mohamed-el-Wasas, mais conhecido por Leo Africanus. Enviado pela corte de Marrocos ao rei do Sudão, visitou duas vezes Timbuctu e penetrou até Bornu, na terra dos Negros.

Prêso na costa de Tunis por uns corsários christãos, em 1517, foi levado a Roma, onde o Papa Leão X o batizou e lhe poz o nome de Johannes Leo.

A geografia da carta de Sanuto é baseada nas teorias dos cosmógrafos do Edade Média, mas mais notável que ela, é o Portulano de 1351 da Biblioteca Laurenciana de Florença, do qual há um fac-símile na edição de Marco Polo, do conde de Baldeli Bonis, Florença 1827 (3).

Duas opiniões corriam entre os geógrafos da antiguidade sobre o Atlântico. Hispandro, século e meio antes de Cristo, apresenta-o como um lago, Elerodato, com Crates de Malles, Possidónio e Strabão, esses admitiam que elle circundava a África. João Philoppon no século VII, na sua obra de *Mundi Creationi*, diz que o Atlântico se junta no sul, com o mar Erytico.

Durante muitos séculos, foram os árabes os únicos viajantes e commerciantes da costa oriental africana onde possuiram estabelecimentos até Sofala, nunca, porém, dobraram o Cabo das Correntes, porque como muito bem diz Barros (4), “as suas embarcações sendo cosidas com cairo, e não pregadas, não podiam resistir ao choque dos encapelados mares do Cabo da Boa Esperança”.

(1) Oliveira Martins.

(2) *Gesta Dei per Francos*—2^o v. onde vem o *Liber Secretorum* — Hanan 1611

(3) Visconde de Santarém — *Recherches sur la decouverte etc* pag. 113-114, Humboldt — *Hist. de la géographie* — tomo I — p. 334

(4) Barros — *Dec. I* — liv. 8 — c. IV.

BOOK I. subject alone it was necessary to act with energy and the
 CHAP. I. manifestation of power and will, which was then called for
 1800. terminated the aspirations of Akbar the Second to become
 a king in more than name

The King of Delhi had several sons of these the eldest was considered to be entitled to the designation of heir apparent, agreeably to the laws of succession upheld by the British Indian Government but, influenced by his favourite queen, Akbar Shah strove pertinaciously to obtain the recognition of his third son, Mirza Jehangir of whom she was the mother in that capacity. Although willing to withhold from the eldest son the immediate assumption of the title which it considered as his birth right, the Government of Bengal refused to gratify the wish of the king and obliged him, on one occasion, to cancel and counteract honours and privileges which he had granted to Mirza Jehangir as indications of a purpose to raise him to the rank of heir-apparent. Although obliged to give way for a season, the king unable to resist female blandishments and tears, resumed his project and the subject of debate might have long continued to estrange him from his European advisers, had not the rashness and presumption of the prince given occasion to the British Government to act decisively and remove Mirza Jehangir from Delhi altogether.

Mirza Jehangir having been empowered by the injudicious liberality of his mother to take into pay a body of armed retainers, occasioned so much discomfort and alarm within the palace by the turbulence which he encouraged and the excesses of which he partook, that his parents were at last convinced of the necessity of subjecting him to some control, and the king was prevailed upon to allow the Company's Sepoys to mount guard at the

palace gates A guard was accordingly stationed at the outer gates, when the followers of Jehangir took up a menacing position at the inner gateway, and insisted that the Sipahis should be withdrawn The British Resident, Mr Seton, advancing to expostulate with them, was fired at and narrowly escaped being shot, as the ball struck the cap of a soldier who was close by his side The Sipahis were then ordered to take forcible possession of the inner gates, and after a short conflict, in which some of the assailants were wounded, and several of their opponents were killed, the gates were carried, and the followers of the prince were dispersed The prince gave himself up to the Resident, and was sent a state prisoner to Allahabad, where he resided until his death, abandoning all hopes of succession to a titular crown, and passing his days in indolence and indulgence¹ The king gradually ceased to exhibit outwardly any concern for his fate, and abstained from all endeavours to interfere with the disposal of the throne, or to acquire a greater portion of authority than it was thought fit to intrust him with this resignation was rewarded by an increase of his pension, which had been promised conditionally by Marquis Wellesley, and was granted by Lord Minto²

24th July

¹ He was at first lodged in the fort of Allahabad, but was afterwards removed to a building that had been a Mohammedan mansoleum part of the monument of Sultan Khosru, without the city The author saw him here in 1820 He was allowed considerable personal liberty, and was treated with as much consideration as was compatible with his security He seemed to be cheerful and reconciled to his situation, and was said to have both the means and the inclination to forget political disappointments in personal enjoyment He was a man of small stature and delicate features, of a pleasing though very dark countenance, and of elegant manners He wore no turban, nor any covering on his head, but let his long black hair, which showed symptoms of more than ordinary care bestowed upon it, hang fall upon his shoulders It was impossible not to feel some sympathy for his humiliation, although there was nothing in his character or conduct to inspire respect

² The original pension was fixed at 76,500 rupees a month, to be provided for out of the revenues of certain lands in the district of Delhi set apart for that purpose, and a promise was made, that the allowance should be increased when the funds admitted of it The extent of the increase was not specified In 1809, the revenues of the assigned territory continued still short of the pension, but it was determined to increase the latter to one lakh of rupees per month, of which 7000 rupees were to be appropriated to the heir apparent — Governor General's Minute, 17th June, 1809 Other augmentations have been since made, making the allowance, including stipends to members of the family both at Delhi and Benares, fifteen lakhs of rupees (150,000) per annum — Bengal and Agra Gazetteer, II part 2 362 His majesty has been long urgent for a farther increase, upon the plea that the revenues of the assigned lands have improved, but "It was never proposed either to limit the stipends by the amount of the produce of the territory, or to augment them to an extent equal to the revenue which the territory might eventually

BOOK I

CHAP. I.

1806.

A prince, second only to the King of Delhi in Moham-
 medan estimation, and far superior to that sovereign in
 wealth and power the Nawab of Oude was connected
 with the British Government by a subsidiary alliance.
 The precise nature of the connexion will have been made
 known by the ample details and discussions relating to it
 inserted in the preceding pages. For all objects of exter-
 rior policy the Nawab was a nonentity and even in his
 interior administration he was expected to refer questions
 of any moment to the consideration of the British Resi-
 dent and to adopt no measures of importance without the
 concurrence of the Governor-General. The reigning Nawab
 Asaf-ud-Daula, was far from easy under the bonds which
 attached him to the British but he had been raised by
 them to the throne, and, being of a timid and inactive cha-
 racter could scarcely have maintained his dignity without
 the support of his allies. Even under their guardian hip,
 he lived in constant dread of domestic intrigue and was
 perpetually haunted by unfounded suspicion that his
 nearest relatives were plotting against his throne and his
 life. His chief gratification was the accumulation of trea-
 sure and the curtailment of his revenues, consequent upon
 the enforced alienation of a valuable portion of his terri-
 tory in commutation of the subsidy was the main-spring
 of his dissatisfaction with the relations in which he stood
 to the Government of England. He felt aggrieved also by
 the immunity from transit duties claimed by trading
 boats on the Ganges where it formed the boundary of
 Oude and passed from the Company custom-offices on
 the opposite bank, and arrived at a commercial treaty
 into which he had reluctantly entered. The interference

of the Resident was not unfrequently a source of mortification to him. So far had his discontent proceeded that he renewed to Sir G. Barlow the proposition he had made to Lord Wellesley, to transfer the management of his dominions to his eldest son and make a pilgrimage to Mecca. When, however, the acquiescence of the Government was expressed, the project was apparently abandoned, as the proposal was never repeated. In his personal expenditure Sâdat Ali was meanly parsimonious, and the amount of the public revenue was more than adequate to the public disbursements. The landholders were nevertheless exposed to the systematic extortion of contractors, to whom the Nawab farmed the assessments, and whom he authorised to levy their demands by the most violent and oppressive means¹. Their exactions were systematically resisted, and the Zemindars became habituated to refuse payment even of what was justly claimable, unless compelled by superior power. Their villages were not unusually fortified, and they resided in mud forts which were not easily captured by the unaided military of the Nawab. In this emergency it became necessary to have recourse to the subsidiary force, and the Company's battalions were employed to reduce refractory landholders and collect the revenue. As obvious objections to such a duty existed, the aid of the troops was always granted with reluctance, another subject of grievance to the Nawab, who considered himself entitled to command the services of a force which he virtually paid. The evil was not so serious in the early part of the reign of Sâdat Ali as it subsequently became, and upon the whole, the province of Oude was in a peaceable and improving condition, while the character and situation of the reigning prince ensured his entire subservience to the political views and interests of the British Government.

Another native Mohammedan sovereign, Sekandar Jah, titular Nizam, Subahdar, or viceroy of the Dekhin, pos-

¹ The contractors rarely benefited by their bargains, as Sâdat Ali was well versed in the art of squeezing the sponge when it had done its office. As soon as the contractors were thought to be sufficiently gorged, complaints against their oppression, which were never wanting, were readily listened to, and they were seized and imprisoned until they had poured into the Nawab's treasury the whole or greater portion of their spoils. Their incarceration depended upon their tenaciousness of the booty. In 1807, the Resident stated there were fourteen farmers of the revenue in prison in Lucknow, some of whom had been confined for years.—MS Records

BOOK I
CHAP. L
1806.

possessed of equally extensive territories, was also a subsidiary ally of the Company¹. The alliance was more distasteful to him than to the Vizir and his capricious and violent temper and the frontier position of his country in conformity to independent states, rendered the preservation of the political relations which had been established with him a subject of solicitude and apprehension. He had succeeded to the principality upon the demise of his father Nizam Ali, in 1803, without opposition, through the support of the British authorities by whose interposition the menaced competition of one of his brothers who enjoyed much more extensive popularity with the nobles and people of Hyderabad, was prevented. The sense of gratitude for this obligation was soon obliterated by the consciousness of loss of independence and the ill-concealed discontent of the Nizam gave courage to many of his followers to organize a system of opposition to the British councils, and still further estrange the mind of their master from the connexion they even contemplated its dissolution, and persuaded the Nizam, and perhaps credited it themselves, that it was practicable to form a combination with the Mahrattas by which the British might be humbled, and perhaps expelled from Hindustan. These suggestions gratified the enmity and flattered the pride of the Nizam but he was too fondly addicted to low and sensual indulgence too irresolute in purpose and contracted in intellect, to be capable of prosecuting a long and dignified contest with the resolute determination, and fortitude indispensable to its success. Fortunately also for the ultimate preservation of his throne his prime minister Mir Asaf, who had grown old in the service of the state and had been an actor in many of the great events which had occurred in the Peninsula during the reign of the late Nizam,

was well aware of the relative strength of the British and Mahratta powers, and accurately appreciated his sovereign's situation. He knew, in fact, that the government of Hyderabad subsisted only as long as it remained under British protection, and that, the moment such protection should be withdrawn, the principality would be defenceless against Mahratta ambition, and would, at no remote period, fall under their yoke, he therefore sedulously advocated British influence at the court of Hyderabad, and was in requital supported by that influence against the effects of his master's caprice and displeasure.

Notwithstanding the efforts of Mir Alem and of several of the most respectable members of the court of Hyderabad to preserve unimpaired the continued friendship of the British Government, the conduct of the Nizam so manifestly threatened its forfeiture and the dissolution of the alliance, that even Sir George Barlow deemed the occasion such as to justify avowed interference. Mir Alem was in danger of assassination, and obliged to seek shelter with the Resident. secret communications were opened with Sindhia and Holkar. all appointments of influence and trust were conferred upon individuals notoriously inimical to the British connexion, and considerable bodies of armed men were in course of assemblage at Hyderabad. It became a question whether the menaced separation should be anticipated, or prevented, whether the connexion should be spontaneously relinquished, or its continuation should be authoritatively perpetuated. The conclusion was, that it should be maintained at all hazards. "The alliance with Hyderabad," it was argued, could not be dissolved without subverting the foundations of the British power and ascendancy in the political scale of India, and without becoming the signal and instrument of the downfall of the remaining fabric of our political relations. If the subsidiary force were withdrawn, the territory alienated for its support would be required to be restored, and

BOOK I

CHAP. I

1806

failed in his negotiation. In 1798 he negotiated with the British Resident, the treaty with the Nizam, and commanded the army which joined the British troops in the capture of Seringapatam. Some time after his return he fell into disgrace, and was unemployed between 1800 and 1803. In 1804, upon the death of Azim ul Omra, the prime minister, and at the recommendation of the British Resident, he was appointed to that office. He died in the 56th year of his age.

BOOK I. the power and resources which the British Government
 CHAP. I. had a right to demand for its own support and security
 1856. would be placed in the hands of a hostile party avowedly
 eager not merely for the abolition of the alliance, but for
 the destruction of the British Indian Empire the weapons
 of which we were now masters would be turned against
 us universal agitation, alarm, distrust, and turbulence
 would ensue and elements of a renewed combination of
 hostile states against us would acquire an uncontrollable
 latitude of action and efficient means of success.' Sir
 G. Harlow therefore concluded that the Nizam had no
 right to depart from the obligations of the connexion, and
 that they must be vigorously enforced. The political
 wisdom of the conclusion was undeniable however at va-
 riance with the doctrine of non interference which even
 in regard to the Nizam had not long before been inculcated
 by the Bengal Government. The arguments upon which
 the resolution was formed are applicable to all similar re-
 lation indicating the true character of subsidiary alliances
 as well as the difficulty and danger of their dissolution.
 The question of right has different aspects, according to
 the different positions of the contracting parties. The
 British Government might have the right, as it had the
 power to enforce obligations which it considered essential
 to its own security and support but the Nizam had an
 equal right to claim their abrogation, if he regarded them
 as non-essential to his security repugnant to his feelings,
 derogatory to his character and detrimental to the hap-
 piness and prosperity of his dominions. It was not a ques-
 tion of right, but of power; and, as the Subahdar of the
 Dekhin was no longer in a condition to assert his inde-
 pendence he was under the necessity of submitting to
 whatever terms his European masters were pleased to

and of whose promptitude to become the instruments of British vindictiveness no native courtier or politician could entertain a doubt That he would be deposed in favour of his younger brother was the immediate suggestion of his own suspicions, and they were confirmed by the sympathising fears of his family and adherents. He therefore changed the tenor of his conduct, readily acquiesced in the conditions¹ to which his assent was required, promised to repose entire confidence in Mir Alem and in the Resident, and engaged to dismiss from their offices, whether of a public or personal nature, and banish from his capital, certain individuals known to be hostile to the British interest, and appoint to their duties persons in whom the Resident could confide This last stipulation was not accomplished without the employment of military force for an object, and with results strikingly characteristic of the *disorganised state of the native principalities*, and which therefore it may be of use to describe in some detail.

The chief favourite and principal adviser of the Nizam was Raja Mahipat Ram, a Hindu, who was originally employed as Dewan, or man of business, by Monsieur Raymond the commander of the French brigades In this situation he had formed an intimacy with the prince Sekandar Jah, and upon the dispersion of the French force was taken into his service and obtained his confidence Upon the elevation of the prince to the throne, Mahipat Ram received the honorary title of Raja, and was appointed to the united civil and military command of the north-west or Berar Frontier His public functions he discharged by deputy, and resided at Hyderabad, the intimate associate and secret counsellor of the prince Aspiring to the supreme direction of public affairs, he became the opponent and enemy of the prime minister, and of those by whom he was upheld His early con-

¹ They were, the dismissal from his presence and from office of persons hostile to the minister and the British alliance, the separation of the military from the civil command on the northern frontier, and the appointment to both duties of persons in the confidence of the Resident, admittance of the Resident to an audience whenever he requested it, without any conditions, due attentions to the just claims of the British Government, the communication of all petitions and statements of a public nature without reserve to the minister, and, should any difference with him arise, the question should be referred to the British Resident.—MS Records

BOOK I.
CHAP. I.

1802

nations, and the injury to his fortunes consequent upon the breaking up of Raymond's corps, had no doubt disposed him to cherish unfriendly feelings towards Mir Alam's English friends and he may honestly have desired, how ever inconsiderately he may have proposed, to liberate his sovereign from dependence upon a foreign power. What ever may have been his motives, he was known to be implacably hostile to the British alliance and he was one of those whose removal from the court was inflexibly insisted on. He was also dismissed from his command, and ordered to withdraw to his personal Jagir. However unpalatable to the Nizam and to his favourite Mahipat Ram after some ineffectual endeavours to obtain a milder doom, was compelled to retire to his feudatory estates.

Raja Mahipat Ram was incapable of leading an inactive life, or abstaining from turbulence and intrigue. He collected a force of five thousand horse whom he employed to dispossess some of his brother feudatories of their territories, and to levy contributions even upon the districts immediately subject to the officers of the Nizam not, as there was good reason to suspect, without the connivance of his prince who preferred the vexation and embarrassment of his minister to the peace of his subjects and the maintenance of his own authority. The remonstrances of the Resident compelled the Nizam at length to send a force against his vassal, but it was defeated and Mr Gordon, an officer who commanded one of his disciplined battalions, being wounded in the action and taken prisoner was put to death after the ceremony in the presence of the Raja. The Nizam's troops being either unable or unwilling to suppress the insurrection, it became necessary to adopt more vigorous measures; and a considerable portion of the subsidiary force under its commander Lieutenant-Colonel Monroer marched against the Raja at Bhabpur whilst other divisions moved from the north and the south to intercept him in the event of his attempting to retire into the adjacent Mahratta districts. Unable to face the force sent against him, Mahipat Ram retreated towards Berar with the utmost expedition, and was followed by Colonel Monroer with equal celerity.

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Five companies H. M. B. Co. two batt. 2nd H. Co. two regiments A. C. I. Brigade of artillery: and body of the Nizam's troops.

The Raja contrived for three months to evade his pursuers, but with the loss of his guns, his baggage, and his infantry, His flight into Berar, where it was apprehended he would find numerous adherents, was prevented by the judicious movements of Colonel Montresor, and the advance of Lieutenant-Colonel Doveton with a division of the subsidiary force from the frontier of that province. Thus foiled in his purpose, Mahipat Ram directed his course to Kandesh. Turning to the west he crossed the Godaverī, Tapti, and Nerbudda rivers, and threw himself into the territory of Holkar, whither his pursuers did not consider themselves authorised to follow him. The detachment under Colonel Doveton was left to guard the frontier, and the main body returned to Hyderabad. Raja Mahipat Ram was no longer formidable: he was now a mere military adventurer at the head of a party of roving horse, willing to be retained by any foreign prince by the promise of pay and the prospect of plunder. He was accordingly engaged by Holkar, but the situation of that chief, his illness, and the troubles that distracted his court, rendered the engagement of little other value than the personal protection which it afforded the Raja.

It was still thought advisable, in order to obviate the recurrence of mischievous intrigues at Hyderabad to obtain possession of the person of Mahipat Ram, and applications to that effect were made to Holkar. In reply, the Mahratta declared that it was, and had always been, the Raja's intention to proceed to Calcutta and appeal to the Governor-General against Mir Alem and the Resident, to whose personal animosity he attributed his misfortunes, professing himself ready to retire from public life and settle at Benares, if the liberality of the British Government afforded him the means. This arrangement had been proposed before his insurrection, but he was now held to have forfeited any claim to favour, and a pension, although granted to his family, was refused to himself: his unconditional surrender was demanded, with which he declined to comply. There is no reason to suppose he was sincere in his professions, as at the same time he was writing to the Nizam, offering, if his sanction was declared, to come to Hyderabad with fifty thousand horse, which he affirmed Holkar and Amir Khan were prepared

BOOK I. to despatch to his assistance to enable him to shake off the
 CHAP. I. English yoke.

1802.

It was not in the power if it had ever been the practice of Holkar to observe punctuality in the payment of his soldiery and the funds of Mahipat Ram, although assisted by secret contributions from the Nizam, soon fell short of the means of maintaining a corps of any strength. After repeated mutinies for arrears of pay the principal part of his followers deserted him with the remainder he attached himself to the party in Holkar's camp, which after that chieftain's insanity aimed at the direction of affairs, under the guidance of Tula-i-Bhai, his wife. The opposite faction, headed by a military leader named Dharma Koor having acquired a temporary superiority Mahipat Ram was ordered to quit the encampment. Reluctant to obey the order he was attacked by a party of Dharma Koor's troops, at a time when his own men were dispersed and whilst he was remonstrating against the aggression, and professing his readiness to depart, he was shot in the tumult his head was cut off, and cast like that of a common malefactor before the threshold of Holkar's tent. It was, however given up to the entreaties of his friends, and burnt with the body but his effects were confiscated and the horses of his troopers were seized for the use of the state. Such was the fate of an individual whose influence had threatened to subvert the alliance between the Nizam and the British Government, and had endangered the tranquillity of India. He seems to have been a man of an active and enterprising character whose chief error was embarking rashly in undertakings in which he had no possible chance of success.

The minister of the Nizam Mir Alam, died on the 8th of January 1803. A negotiation for the nomination of a successor ensued which was not unattended with difficulties; the British Government professing to leave it to the Nizam, whilst steadily resolved to suffer no one unfriendly to its interest to exercise the administration and the Nizam with equal insincerity pretending to defer to the wishes of the English Government, whilst secretly striving to secure its acknowledgment of a favourite of his own. A compromise was at length effected. Mousul Mulk, the choice of the Nizam, was appointed minister

under a written engagement to maintain the British connexion unimpaired, but, as he was incompetent to the duties of his office, the real administration was vested in the hands of Chandu Lal as his Peshkár or deputy, a Hindu of experience and talent, who had been employed by Mir Alem in a similar capacity, and who like him, was deeply impressed with the essential importance of the Resident's support, both to his own authority and to the integrity of the Nizam's dominions. The connexion with Hyderabad, after the brief interruption which has been described, was established on a firmer footing than before, and the growing habits of excess in which the Nizam indulged, as well as his natural timidity and indolence, enfeebled his own sentiments of aversion, and rendered them no longer objects of apprehension.

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A subsidiary alliance¹ united the Peshwa also with the British Government of India, but the connexion was distinguished by some essential differences from those which had been formed with the Mohammedan princes: it was of more recent date and less stringent obligations: the Mahratta prince retained a much larger share of independence and power, and more consistently contemplated the opportunity of ridding himself of a contumacious ally which he equally felt to be intolerable, but which he had the policy to affect to submit to with cheerfulness and satisfaction.² Bají Rao had entered into the alliance in a moment of despair, when no other means were open to him of escaping from the violence of Holkar, but the treaty was scarcely concluded when he was busied in intrigues with the other Mahratta princes for its infraction. The unexpected close of the war with Sindhia and the Raja of Berar, disappointed his projects, the discomfiture of the confederates, showed him that it was vain to expect immediate release from his engagements and his next object was to

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¹ By this, commonly called the Treaty of Bassein, dated 31st December, 1802, the Peshwa agreed to receive a permanent subsidiary force of not less than 6000 regular infantry, with the usual proportion of field pieces and European artillerymen, for the regular payment of which, certain districts in the Dekhun were at first assigned, but were as already noticed, commuted for others in Bundelkhand by a supplemental treaty, December, 1803—Coll. of Treaties, p. 233.

² For a time he appears to have imposed upon the Government of Bengal, as the satisfaction which he expressed was one of the arguments employed by Sir G. Barlow against the modifications of the treaty of Bassein proposed by the Secret Committee—Malcolm, Political History of India, i. 380.

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turn them to his advantage there also, he encountered various disappointments, and these contributed to enhance his discontent with the British Government, however veiled beneath the show of cordiality and good humour. The Court of Poona entertained heavy pecuniary claims upon the Gackwar and the Vizam for arrears of tribute or for payments stipulated by treaty these claims the British Government undertook to investigate and adjust, but the accounts were long and complicated, and the equity of the demand not unfrequently questionable. The investigation proceeded slowly and adjustment was deferred until the patience of the Peshwa was exhausted, and he felt as a grievance that interposition which barred his attempting to realise at least a portion of his demands by a more summary process. Another subject of grievance was the decided refusal of the Government to allow the Peshwa to use the subsidiary force as an instrument for the establishment of an unprecedented controul over some of his feudatories, and for their forcible expulsion from their Jagirs this was especially the case with regard to Parasuram Sminrá, the Iratinidhi or principal hereditary noble of the Mahratta state between whom and Rajá Rao an inveterate feud had for some time subsisted. The Peshwa advanced also unfounded pecuniary claims upon portions of Kunderkhand not included in the cession he had made to the British; and demanded arrears of Chouth, the Mahratta tribute from the independent Rajas of the province as well as from the rulers of Jhaní, Jalpi, and Samar which his relations with the British, the prevented him from engaging in hostilities or entering into negotiation with other princes without their participation, disabled him from asserting in the manner most agreeable to Mahratta policy. He likewise claimed a share of the contributions extorted by Ho kar and Bndlia from

1. The amount of the demand upon the Gackwar was nearly three millions sterling, and the Gackwar had not been able to pay more than a small portion of it. The British Government offered to pay the Gackwar the arrears of tribute, and the Gackwar offered to pay the British the arrears of tribute, but the British Government refused to pay the Gackwar the arrears of tribute, and the Gackwar refused to pay the British the arrears of tribute. The British Government offered to pay the Gackwar the arrears of tribute, and the Gackwar offered to pay the British the arrears of tribute, but the British Government refused to pay the Gackwar the arrears of tribute, and the Gackwar refused to pay the British the arrears of tribute.

2. History of the Mahrattas, &c. &c.

the princes of Rajputana, and attributing the difficulty of realising these demands to the non-appointment of such a representative in Hindustan as had been charged with the interests of the Peshwa anterior to the date of the British connexion, he was urgent with his allies to sanction the revival of the office of Sir-subha, or Peshwa's representative, in which character he proposed to send one of his principal officers into Bundelkhand. To this proposition an unqualified refusal was given, as it was obviously designed to replace the Peshwa in the position of titular head of the Mahratta confederacy, and to renew that system of combination which it had been the especial object of the treaty of Bassein to overturn. The nomination of an officer who should be acknowledged by Sindhia and Holkar as the Peshwa's delegate was also an infringement of the stipulation in the treatise with those princes, as well as with the Peshwa, by which internegotiation of a political tendency was prohibited. The British Government, therefore, required the Peshwa to desist from the appointment of a Sir-subha, offering at the same time to mediate between him and the chiefs of Bundelkhand for the recovery of his just demands. The firm opposition made by Sir G. Barlow to this insidious project, in which it was ascertained that both Sindhia and Holkar had secretly concurred, inflicted upon Baji Rao severe disappointment and mortification. He professed, indeed, to place entire confidence in the wisdom and friendship of his allies, but it was evident that little reliance on his sincerity could be entertained, nor were positive proofs wanting of his being concerned in negotiations incompatible with the spirit and letter of his engagements to the British,¹ and it was obvious that his conviction of the

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¹ The villages taken from Sindhia, and transferred to the Peshwa, after the war had been secretly suffered to remain in the possession of the former. The nomination of a Sir-subha, as mentioned in the text, was with the private concurrence of Sindhia and Holkar. When a quarrel had ensued between those two chiefs after the return of the latter to Hindustan, an envoy was sent by the Peshwa to mediate between them. As this was a palpable infraction of the treaty of Bassein, Baji Rao was called upon for an explanation. He at once disavowed his agent, and, in proof of his fidelity to his engagements, produced what were also evidences of his intercourse with the other chiefs, letters from Holkar and Sindhia declaratory of their desire to renew their subordination to the Poona Government. Baji Rao at the same time pretended a conviction that, although these proposals might have for their object the advantage of the writers, it was for his own advantage to adhere to the terms of the subsidiary alliance.—MS. Records, also Hist. of the Mahrattas, in 333

BOOK I. impossibility of forming an effective combination against
 CHAP. I. their power alone deterred him from new intrigues calcu-
 1803. lated to disturb the existing relations and endanger the
 tranquillity of India. The other members of the Mahratta
 confederacy were not in a situation favourable to their
 co-operation in his design.

1804. The bonds of union with the Gaekwar or Mahratta ruler
 of Guzerat were of the most intimate description and the
 maintenance of his authority his very existence as a
 political power depended entirely upon the assistance and
 support of his English allies. The contest for the occupa-
 tion of Guzerat, adverted to in a former page terminated
 in the acknowledgment of Fattish Sing¹. Upon his death,
 in 1793, Govind Rao was recognised by the Government
 of Poona as Raja. He died in 1804 and was succeeded by
 his eldest son, Anand Rao, a prince of weak intellect and
 indolent disposition, who was incapable of conducting an
 efficient administration. A struggle for the management
 of affairs ensued. Hanboji Rao, the eldest illegitimate son
 of Govind Rao, a bold and ambitious young man, at first
 secured to himself and his partisans all the principal
 offices of the state but after a short time he was dis-
 possessed of them by one to whom the authority could be
 more safely and beneficially entrusted, Raoji Ajpa, who
 had been the minister of Govind Rao, a man of ability
 whose exercise of authority was not incompatible with the
 continuation of Anand Rao as titular sovereign. Hanboji
 had recourse to Mulhar Rao, a cousin of his late father
 who held an extensive Jarir under the Gaekwar and was a
 chief of talent and enterprise. Raoji Ajpa, unable to
 oppose this combination, made urgent application to the
 Government of Bombay for the formation of a subsidiary
 alliance. The proposal was acceded to, and Major Walker
 with a military detachment, was sent to his succour.

Mulhar Rao and Kanhoji were defeated the former declared his submission to the new order of things, but Kanhoji kept aloof, and for some time devastated the country at the head of a predatory body of horse. He was ultimately routed by a British division under Major Holmes, and driven out of Guzerat. Raoji Appa retained the functions of prime minister and virtual ruler undisturbed, and Major Walker was appointed Resident at Baroda, the capital of the Gaekwar.¹

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When tranquillity was re-established, and opportunity was afforded for an inquiry into the condition of the Gaekwar's affairs, it was found that they were so irretrievably involved, that it was indispensably necessary, if it were thought desirable to continue the connexion, to extend the assistance to be afforded beyond military support, and to prop the rapidly declining resources of the principality with the funds and credit of the British Government. The annual disbursements greatly exceeded the annual receipts of the public treasury,² the revenues were intercepted by appropriations and mortgages, the fruits of former improvidence, heavy debts, bearing a ruinous rate of interest, were owing to the bankers and moneyed men, and long arrears of pay were due to the troops, the discharge of which was a necessary preliminary to their dismissal, and consequent diminution of public expenditure. The additional burthen imposed upon the state by the subsidy to be paid to the British force was quite incapable of being sustained, and it was evident not only that the engagement could not be fulfilled, but that national insolvency, general confusion and distress, and the dissolution of the Gaekwar's power, were unavoidable, unless vigorous means were promptly employed to administer present relief and ensure future amelioration. Fortunately the Resident was endowed with more than ordinary abilities, industry, energy, and judgment, enjoyed the unreserved confidence of his own Government, and speedily commanded the same implicit credit with the Gaekwar, his minister, his chief officers, and the moneyed and commercial members of the community.³

¹ Hist of the Mahr iii 216

² The revenue of Guzerat was estimated at 50 lakhs of rupees per annum, the expenditure exceeded 82 lakhs —MS Rec

³ This is strikingly expressed in the counterpart of the treaty of 1805, written by the Gaekwar himself, anticipating the possibility of his falling into

In order to evade their dismissal, they advanced the most extravagant demands, and, seizing upon the capital and person of the Gaekwar, refused to set him at liberty unless their claims were satisfied. Major Walker having endeavoured in vain to bring them to reasonable terms, Baroda was invested by the subsidiary force under Colonel Woodington, strengthened by a European regiment from Bombay. The Arabs defended themselves with spirit, and inflicted some loss on their assailants, but, after a siege of ten days, a practicable breach having been made in the walls, they capitulated, on the promise that all arrears justly due to them should be paid, and they engaged in that event to disband and leave the country.

This transaction, and the flight of Kanhoji, restored tranquillity to Guzerat, and enabled the minister and the Resident to proceed without interruption in their projects of reform. Raoji Appa died in January, 1803, and was succeeded in his office of Dewan by his nephew Sitarám, who professed the same principles, and for a time pursued the same policy, as his uncle. The reduction of the expenditure proved, however, no easy task, as extravagance and dishonesty pervaded every department, and little reliance could be placed upon the co-operation of the servants of the state, who wore themselves the chief plunderers and defaulters. Sitarám soon became weary of a duty so troublesome and unpopular, and lent himself to the prevailing practice of profusion; so that the whole labour and odium fell upon the Resident. He was ably assisted by Gangadhar Sastri, an accountant in his employment, who acquired at a subsequent date a melancholy celebrity in the political history of the Peninsula, as we shall have occasion to relate. The Resident was also firmly supported by the bankers and public creditors, who had a deep personal interest in the success of his proceedings.

The avowed exercise of British controul over the internal administration of the Gaekwar, which commenced under the authority of Marquis Wellesley, was continued on the same footing by Sir G. Barlow, although an admitted departure from his policy of non-interference. "The peculiar situation," he observed, "of the affairs of the Gaekwar state, and the circumstances under which our

connexion with that state has been established, and has become in a manner interwoven with its internal concerns, distinguish our relations with Baroda from those which subsist with the other powers of India, although the general political relations and obligations are the same. The interference therefore which we are called upon to exercise cannot be considered to constitute a deviation from those principles of policy which in our intercourse with other allies preclude our interference in the management of their internal concerns. It is evident that the alternative of our interference for the reform of the affairs of the Gaekwar is not merely the loss of the advantages to be derived from the efficacy of the alliance but the positive dangers to which the certain ruin of the state would expose our most essential interests in that quarter of the Peninsula." These observations were not utterly just, but the spirit which they evince was eminently right, and no consideration of the benefit accruing to the Gaekwar was allowed to influence the main nature of the

times connected with their neighbours by affinity of descent, but all equally independent in their own lordships, exercising the privilege of private war, and paying little more than nominal obedience to the paramount sovereign, presenting, in many respects, a resemblance to the kingdoms of Europe during the worst periods of baronial anarchy. The province had been regarded as tributary successively to the Mohammedan Kings of Guzerat, to the Mogul, and to the Mahrattas, but the tribute was never spontaneously paid, and its collection was only to be effected by a military progress amongst the states. Nor was this method always attended by success. The army of the Peshwa, or of the Gaekwar, even when amounting to twenty thousand horse, was not unfrequently resisted. The Rajas shut themselves up in their forts or castles, and from their battlements mocked the movements of cavalry. The villages, fortified by mud walls, impenetrable hedges, and the martial spirit of the population, were equally inaccessible, and the invaders were obliged to content themselves with laying the open country waste. Nor were they suffered to carry off with impunity such plunder as they might have gathered, hordes of Katti and Rajput horse hovered round their advance and harassed their retreat, and the expedition not unusually terminated in disaster and disgrace.

The diminished power and impaired resources of the Gaekwar had for several years prevented even such attempts at military coercion, and tribute accordingly had ceased. The spirit that now animated the counsels of the Government, and the means at its disposal, no longer permitted the chiefs of Kattiwar to resist its rightful demands with impunity. Having therefore received the sanction of his superiors, Major Walker marched with a division of the subsidiary force to Gotu, in the district of Murvi, to which place the several chieftains had been previously directed to send their representatives. The greater number complied with the requisition. The right of the Gaekwar's Government to levy a tribute was universally admitted, but it was not until after many attempts at delay and evasion that a settlement was accomplished, and the chiefs consented to pay the amount regularly, without waiting for the Mulkuri process of coercion. The

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BOOK I. sum of nine lakhs and a half of rupees was promised in
 CHAP. I. perpetuity and security was given for a term of ten years,
 1807 renewable at its expiration. The security was character-
 istic. The sureties were persons boasting neither rank
 nor wealth, but who derived from the usages of the
 country inviolable sanctity and were entitled to implicit
 trust. They were selected from the tribe of Cháranas or
 Ehbáts, the hereditary lords, genealogists, and chroniclers
 of the principal Hindu races of the West of India, whose
 sacrosanctness of person had been received as a substitute
 for law in a condition of society which, while it felt the
 necessity of social obligations, could submit to none of
 the human restraints by which they are maintained and
 enforced. Superstition supplied the defect. The Cháran,
 if his pledge was violated, murdered himself or some

inquish their claims to vessels wrecked on their coasts, to allow the free resort of merchant-ships from the territories of the Company or their allies, and to assent to the permanent residence of a commercial agent at their principal harbours. They generally acceded to these stipulations¹

The only active military operation which it became necessary to undertake, was designed to adjust a difference between two chiefs of some consideration, and to demonstrate the ability as well as the determination of the Government of Guzerat to compel obedience. A body of Makranis, or mercenaries, natives of Makran, in the service of the Raja of Purbandar, mutinying for arrears of pay, seized upon the fort of Kandorna, belonging to the Raja, and sold it to a rival chief, the Jam of Noanagar. This transaction occurred after the arrival of the Resident and Gaekwar's minister in the province, and was held to be contempt of the superior authority, as well as disregard of private rights. The Jam was desired to restore the fortress, and, as he refused to comply with the requisition, the detachment marched against the place. Batteries were erected, and in the course of a day, two practicable breaches being effected, the troops were drawn out for the assault, when the garrison surrendered. Kandorna had formerly sustained successfully a siege of three months by the Gaekwar's army, and was looked upon by the people as impregnable. Its capture on the present occasion in so short a time, impressed the native chiefs with a deep conviction of the uselessness of opposition to the British arms, and produced a sensible effect upon the progress of the negotiations.

The expedition into Kattiwar was considered as affording a favourable opportunity for asserting authority of a different description, and vindicating the outraged claims of natural affection. The Jhareja Rajputs of the province, and of the neighbouring principality of Cutch, were notorious for the murder of their female infants. Preferring the death of a daughter to a matrimonial alliance with an

¹ The sea-ports were Dhingi, Bate, Dwaraka, Amramra, Positra, Jooria, and Noanagar on the north coast, and different parts of Junagerh on the south. For the stipulations with them severally, and with other of the Kattiwar principalities, see Coll. of Treaties, p. 602, &c

tieable Accordingly, at a long subsequent date, there were grounds for believing that the crime was almost as common as it had been before the interposition of the British Government¹ The sentiments of that Government have, however, been sufficiently made known to insure its marked disavowal to any chief suspected of violating the spirit of the original contract, and a sense of individual interest, with improved principles of action, manners softened by the continuance of tranquillity, and extended intellectual cultivation, must ultimately effect the extinction of a practice which is not more inconsistent with reason than repugnant to natural instinct²

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The adjustment of the Kattiwar tribute tended materially to facilitate the improvement of the Gaekwar's finances, but their final settlement was retarded by the aversion which the new minister exhibited to the economical measures of the Resident, and the secret counter-action which he countenanced or practised It became necessary, therefore, to re-model the administration Sitaram was removed from the office of Dewan, the duties of which were assigned to his uncle, Baba Rao, whilst a general controuling and sanctioning authority was vested in Fath Sing Gaekwar, the younger brother of the reigning prince, and heir to the throne These ministers, holding then appointments by the tenure of the Resident's approbation, co-operated cordially with him, and results the most beneficial were speedily attained. In place of the seemingly hopeless condition of the public finances when the process of reform was commenced, when the expenditure nearly doubled the receipts, the revenue of the Gaekwar was raised in the course of six years to sixty-five lakhs of rupees, and his expences were reduced to fifty lakhs, leaving a surplus of fifteen lakhs applicable to the liquidation of his debts perseverance in the same system for about a similar period was expected to ensure his liberation from pecuniary embarrassment, and the full command of all his resources³ The connexion which the Gaekwar

¹ In 1817, there were but sixty three Jhareja females living in all Kattiwar, born subsequently to the engagement with Colonel Walker —Parl Papers, 110 In a village called Draffa, containing four hundred families there was not a female child —Ibid 112

² Note by Mr Elphinstone when Governor of Bombay —Ibid 116

³ MS Records

that it would be inconsistent with equity and public faith to resume the lands ceded to the Nizam, and it was maintained with less show of reason that it would be equally incompatible with justice to the British Government of India to deprive it of Cuttack. Ragoji Bhonsla's notions of justice were somewhat at variance with those of the Governor-General, and he not unnaturally demurred to the decision of a judge who sat in judgment on his own cause, and pronounced sentence in his own favour. He was obliged to submit, but acquiesced unwillingly. To fulfil in some degree the purpose of restitution intimated by Lord Cornwallis, it was proposed to cede to the Raja a tract of little extent or value west of the Wardá river, and the more considerable district of Sambhalpur on the east of Berar. The Raja declined to accept the former; the latter became, after a season, an unwilling and unprofitable dependency of Nagpur. Its cession was scarcely compatible with a strict observance of the obligations contracted with the people of the province when it came into British possession.

The countries of Sambhalpur and Patna, forming an extensive tract, were, for the greater part, overrun with jungle, but they afforded support to a scanty population scattered about in detached villages, and subject to the authority of a number of petty Rajput chiefs, loosely connected by affinity or allegiance, but not unfrequently disunited and at variance. The Mahratta Rajas of Nagpur had availed themselves of the opportunity offered by the dissensions of the chiefs to interpose, and set up a claim of supremacy and exacted payment of tribute, but they had never been able to establish any recognised influence or authority. The principle of the Mulkgiri of Kattiwar was therefore here also in practice: a body of troops was sent every third year into the province, which plundered the villages and devastated the fields, until its retreat was purchased by the payment of the sum demanded. This system of extortion, and the cruelty and spoliation with which it was enforced, had rendered the Mahrattas detested alike by chiefs and people, and they cordially welcomed and assisted the British division, which, in the late war, was sent in their direction. On that occasion they had readily promised allegiance to the British Government,

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gerh, allowed his allies no such pretext to shuffle off their responsibility he had consistently refused to be a party to the agreement to leave the country, and declared himself resolved rather to suffer any extremities, leaving to the British Government the odium of a breach of faith. They were, therefore, obliged to except Raigrah from the cessions to Nagpur, but they accompanied the exception with strict injunctions to the Raja to avoid giving offence to the Government of Berar, on pain of forfeiting his claim to British support. A Mahratta force was sent against the other Rajas, which, with some trouble, and more by treachery than force of arms reduced them to obedience¹. At a subsequent era, and under a different system of policy, Sambhalpur was finally re-annexed to the Presidency of Bengal.

Although deeply disappointed and annoyed by the refusal of the Bengal Government to understand the letter of Lord Cornwallis in the sense in which he interpreted it, the Raja of Nagpur was not in a position to resent its conduct or dispense with its friendship. He was pressed for large pecuniary payments by Sindhia and by Holkar: the latter threatened to exact the discharge of his demands at the head of an army, and the threat was subsequently

tunaciously to the promised restoration, that the Government consented at last to relinquish the provinces, at the same time, in order to reconcile the people to the proceeding, they were told, that, should events again bring them under British rule, they should become permanently subject to it." The statement does not seem to be correct. In the treaty of Deogaum, the 10th article confirms all treaties made by the British Government with the feudatories of the Raja, and the stipulation applies especially to the agreements with the Rajas of Sambhalpur and Patna, in which they had conditioned that they should remain permanently under British authority. Their districts were ceded to Nagpur by Sir G. Barlow in August, 1806, by a formal engagement, in the preamble of which it is stated that the Governor-General agrees to restore all the territory of Sambhalpur and Patna which was ceded by the Raja to the Company. It is clear, therefore, that up to the date of this restoration the provinces had been held by the Company, and no claim to them by the Raja, founded on a promise by General Wellesley, could have been preferred or recognised.—Coll. of Treaties, pp. 261, 300.

¹ The fort of Sambhalpur was at the time of the cession in the hands of the Rani, the Raja being detained a prisoner at Nagpur. Finding himself unable to carry the place by force, the Mahratta general pledged his Government in the most solemn manner to release the Raja and acknowledge his authority, on the Rani consenting to a moderate tribute. Having thus thrown her off her guard, he took advantage of her confidence, in the course of the negotiations that followed, to surprise the fort before any defence could be offered. The Rani fled with a few followers and having with great difficulty, and after much fatigue and suffering, escaped into the British territory: protection and a small monthly pension, were granted her. She was one of those who at first entertained the proposal to emigrate into Cuttack, but who shrunk from its accomplishment.—MS. Records.

The equivocal behaviour of Sindhia in the interval that elapsed between the treaty formed with him in 1803, and that with Holkar in 1805, virtually annulled the existing engagements, and rendered their renewal necessary. A new treaty was accordingly entered into with him, by which some of the stipulations of that of Sujī Anjangaum were abrogated, others confirmed.¹ The intercourse that ensued in the period immediately following had principally for its object the fulfilment of the stipulations then provided. It did little credit to either of the contracting parties, turning mainly upon matters of pecuniary interest, in which it was the aim of the Mahratta to get as much, and of the Governor-General to give as little, as possible. The disputes were characteristic.

The treaty of Sujī Anjangaum permitted Sindhia to hold within the British possessions certain districts granted him in Jagir by the King of Delhi, and it secured to members of his family, and to some of his chief officers, compensation for lands held by them in the Doab before the war, either by a grant of similar Jagirs or of equivalent pensions, provided that the whole amount of revenue so alienated did not exceed the annual sum of seventeen lakhs of rupees. By the final treaty, Sindhia agreed to relinquish, from the 1st of January, 1805, pensions to the amount of fifteen lakhs of rupees a year. The Jagirs to individuals were continued, not merely as compensation for loss, but avowedly as bribes to purchase their voices for peace, or, as it was officially expressed, "to secure the support of influential officers in the councils of Sindhia, whose interests being affected by a war, they would oppose its occurrence." The same engagement contracted for a pension to the Maharaja himself of four lakhs of rupees a year, and a Jagir of two lakhs to his wife, and of one to his daughter. The Jagirs were eventually commuted to

¹ In the engagement now concluded, no notice was taken of the subsidiary treaty to which Sindhia had acceded in 1804. It might, therefore, be considered as virtually cancelled. It was in fact altogether nugatory. The force to be furnished by the British Government was not to be paid by the Raja, nor was it to be stationed in his territory. The arrangement amounted to no more than an agreement to furnish Sindhia with a body of troops whenever he should require them, if the purpose for which he required them was approved of by the Government of Bengal. It was very little probable that the latter would often give their sanction to Sindhia's military policy, and as little likely therefore that he would apply for troops. He never did make the application, and the treaty was a nullity.

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pensions, which lapsed with the death of the pensioners. These grants and commutations were the subjects of long and sometimes angry discussion.

Another contested item was the balance of an account between Sindhia and the Company in which the former claimed arrears of pension, and of revenue collections for two years prior to 1803 which the latter admitted to a limited extent, but met with a counter-claim for the public and private property plundered from the British Residency in 1804, and for moneys advanced and charges of collection. The sum claimed by Sindhia was nearly twenty-four lakhs of rupees that demanded by the Company nearly twenty-seven lakhs. They agreed, however to forego a portion of their claim, and admitted a balance in favour of Sindhia of 63,000 rupees (3,300%) an amount which was vastly inferior to his expectations and his necessities for the relief of the latter he was therefore obliged to look to other quarters.

The quarrels of the Rajput princes, which will presently be more particularly adverted to, offered an ample field for the gratification of Mahratta rapacity of which the Mahratta princes in Malwa were not slow to reap the harvest. The exhaustion of Sindhia's resources, and the impossibility of raising a revenue commensurate with his expenditure from his wasted and depopulated territories, crippled his movements, and disabled him from appropriating his full share of the spoil. His troops, still too numerous for his means, were repeatedly in a state of mutiny for arrears of pay and had degenerated into a lawless horde of plunderers, who in the realisation of their demands, made little difference between the country of friend or foe, and pillaged the districts of their own master and his allies as remorselessly as those of his enemies. The only prospect of providing them with an equivalent for pay and of maintaining amongst them some degree of subordination, existed in the levy of contributions from the neighbouring princes and from time to time considerable sums were exacted from the Rana of Udaypur and the Rajas of Jodhpur and Jaypur as arrears of tribute due under former engagements to the Mahrattas, or as the price of plighted military service which was at best but imperfectly rendered. But Holkar and Amir Khan had taken the disputes of

the Rajputs under their management, and Sindhia was unwilling or unable to interfere with effect. After a feeble attempt at interposition, he was contented to allow some of his principal officers to take occasional part in the contest, whilst he directed his attention more especially to the prosecution of designs against the independence of Bhopal.

BOOK I

CHAP. I

1807.

The principality of Bhopal presented the singularity of a petty Mohammedan power in the very heart of the Hindu states. It was founded at the close of the seventeenth century by Dost Mohammed, an Afghan adventurer in the service of the Emperor of Delhi, who, from being the superintendent of the small district of Bersia, in Malwa, raised himself, by that mixture of courage, activity, treachery, and political cruelty, which is not uncommon in the character of his countrymen, and which in the latter days of the Mogul empire was the usual title to temporary elevation, to the command of a territory of some extent, and the appellation of Nawab of Bhopal. His direct line continued through his three successors. The two last of these devoted their lives to religious meditation and prayer, and left the conduct of public affairs to their ministers, men of various characters and fortunes, whose administration often excited, and sometimes justified, the opposition and violence of the turbulent nobles and officers of the court. At this period, the Dewan or minister of the Nawab was his kinsman, Vîzir Mohammed, whose father had been slain in an unsuccessful insurrection, and whose youth had been spent in exile and predatory warfare. Placed, after many vicissitudes, at the head of affairs, he brought to their administration the qualities of activity, courage, and prudence, which promised to restore the declining prosperity and reputation of Bhopal. He was not suffered to carry his projects to maturity. The son of the Nawab, Ghous Mohammed, jealous of his ascendancy, and apprehensive of his ambition, invited the Raja of Berar, and Dowlat Rao Sindhia, to invade the principality, in order to secure his succession to the throne. The invitation was readily accepted. The capital, Islam-nagar, was captured by the latter, and the city and fort of Bhopal were occupied by Sadîk Ali, the general of the former. Little hope remained that the state would recover from the pressure of such a formidable combination.

BOOK I. In this state of things, the old Nawab, Haidat Moham-
 CHAP. I. med, died. He was succeeded by his son, who, finding
 1803. that his allies purposed the dismemberment of his terri-
 tory reconciled himself to Vizir Mohammed, and continued
him in the office of Dewan, trusting to his talents for the
extrication of his country from the grasp of his enemies.
 His expectations were not disappointed. Vizir Mohammed
 conciliated Sindhia, by promising to discharge the tribute
 which Ghous Mohammed had engaged to pay and, with
 the assistance of the Pindaris, he repelled the forces of
 Berar. The ruin of his country was arrested for the time;
 but Vizir Mohammed was well aware of the inadequacy of
 his means to cope with such powerful adversaries, and,
 anticipating the repetition of their efforts for his destruc-
 tion, endeavoured to interest the British Government in
 his favour. The system of policy then adopted, rendered
 his application ineffectual, and he was left to his own
 resources until a more auspicious period arrived, when the
 debt contracted to the Nawab of Bhopal, Haidat Moham-
 med, for the assistance which he gave to General Goddard,
 and by which alone the British detachment was enabled
 to march unopposed from the Nerbudda to Surat, was
 repaid by the reasonable protection afforded to his
 descendant.

The counsels of Sindhia were likewise distracted by the
 conflicting views of his principal officers and advisers,
 and the struggles that prevailed amongst them for the
 management of his affairs. Ambaji Inglia, after having
 been confined, tortured, and plundered, as has been de-
 scribed, was restored to favour and became the leader of
 a party opposed to the former ministers. In order to
 strengthen his influence, he invited Sirji Rao Ghatka,
 whom the British Government had banished by express
 stipulation from Sindhia's presence to return to camp;
 and although the measure furnished his adversaries with
 a plea for alarming the prince, and inducing him once
 more to imprison and pillage Ambaji, yet, when the inter-
 dict was withdrawn by those who had pronounced it, and
 the Government of Calcutta no longer entertained an
 undigulified apprehension of the intrigues of an individual,
 Sirji Rao resumed his place at Sindhia's durbar and con-
 ducted, conjointly with Ambaji, the duties of the admini-

stration Neither of them long survived the recovery of their authority Ambaji Inglia died early in 1809 Sirji Rao Ghatka was killed in an affray in the course of the same year¹ Dowlat Rao, after Ambaji's death, seized on his fortress of Gwalior, and for the greater part of his life continued encamped in its vicinity, until his camp grew to be a considerable town, which is still the capital of his descendants No other change ensued the same pecuniary embarrassments continued to be felt, and the same means of relieving them to be employed the fruits of robbery and spoliation were dissipated by the wasteful and unprincipled system under which they were gathered, and the hordes of licensed banditti which were let loose upon the surrounding states were a source of weakness, not of strength, to the prince whom they nominally served The British Government, unable to rid itself of former impressions, continued to treat Dowlat Rao Sindhia with a guarded and timid policy for some time after his friendship had ceased to be an object of conciliation, or his enmity of fear

BOOK I
CHAP I

1800

The power and resources of Jeswant Rao Holkar were in like manner for some time estimated rather by the mischief which he had inflicted, than any which he retained the ability to commit The unmerited liberality which

1800

¹ The importance attached to this individual by his special exclusion from Sindhia's presence as an article of treaty, gives interest to the following details of his death, derived from an authority on the spot — "Sirji Rao had gone to the durbar and was earnestly pressing Sindhia to accede to some of his proposals, to which the Maharaja as usual returned evasive and unsatisfactory replies, and ordered his equipage to be got ready to go to an elephant-fight. As he was about to depart, Sirji Rao repeated his remonstrances, and at length had the temerity to seize the skirt of his robe and endeavoured to detain him forcibly in his seat. Some of the Huzuriyas (personal attendants) present, incensed at such an insult, thrust him back, and Sindhia escaped from the tent, giving an order to secure the minister's person. Sirji Rao drew his sword and resisted the execution of the order: a violent scuffle ensued, in which some individuals of both parties were killed, and several wounded. At length Sirji Rao effected his retreat to his own tent, but was followed by the enraged party from the Delhi, headed by Anand Rao and Manaji Phankra, two distant relations of the Maharaja's family. In one minute the ropes of the tent in which the unfortunate minister had taken refuge were cut, and he himself dragged from beneath it, and in the next he fell dead in the public streets, pierced with a dozen wounds inflicted by his pitiless enemies. Sindhia is said to have given orders, when he heard of the scuffle, to spare his father-in-law's life, and from the known lenity of his disposition it is probable he did so. His pursuers either wilfully or ignorantly mistook these orders, and in all probability rejoiced at an opportunity of getting rid of a man who was an object of hatred to themselves, of dislike to their master, of terror to the whole army, and apprehensive to every court in India." — Letters from a Mahratta Camp, by Captain Bronghton, commanding the Resident's escort, 1809, p. 223

BOOK I. the British Government had evinced towards him had
 CHAP. I. replaced him in the actual or prospective possession of an
 1806. extensive and valuable territory and its selfish disregard
 of inconvenient obligations consigned to his rapacity the
 chieftains of Rajputana, particularly the Rajas of Bundi
 and Jaypur. The motives of this uncalled for generosity
 were unintelligible to the native princes, and to Holkar
 himself; and both ascribed it to dread of his military
 talents, and incapability of providing longer for the ex-
 igencies of war. The necessary consequence of this notion
 was, the inflation of Holkar's ambition with the hope that
 he should soon be able to reunite under happier auspices
 the disjointed members of the Mahratta confederacy and
 exact a severe retribution for the mutilation which they
 had suffered. So far was he from acknowledging the
 extent of the leniency which had been shown him, that he
 immediately preferred, in insulting language, new and
 unreasonable claims demanding the cession of additional
 lands in the Dekhin, and of eighteen districts in Ilh-
 dustan, and the grant of Jagirs for his family and adhe-
 rents. Protracting his march southwards as long as he
 could find any one whom he might plunder he levied
 contributions on his way from the petty chiefs whom the
 British Government professed to protect, or to regard as
 allies; and he made no secret of his purpose to punish

¹ The treaty with Holkar of December 1805, restored to him the pos-
 sessions of the Holkar family in Mewar, Malwa, Marhatti, and the Deccan.—
 Coll. of Treaties, p. 251.

A declaratory article, added to the treaty by Sir George Barlow, brought
 the second article, by which Holkar had renounced all right to Tank Kampura
 and the districts north of the Bundi Hills. The allegation was interpreted
 by him as virtual withdrawal of the protection granted to the Bundi Raja.
 By the eighth article of the treaty Holkar relinquished all claims of every
 description upon the British Government and its allies amongst whom the
 Raja of Jaypur considered himself included: his claim was not admitted, as
 he subsequently noticed in the text.

In one of his first letters he declared peremptorily that the districts which
 he claimed in Ilhaddistan must be restored to him, and he intimated that others
 should be assigned to Amir Khan. The Deccan Government sheltered its
 dignity under the plea of an erroneous translation of his expressions having
 been made by Colonel Malcolm, through whom the letter had been transmitted,
 but apparently with little reason; and there was no question to the general
 tone of the epistle. The Governor-General determined to take no offence
 ascribing Holkar's language to the unbridled violence of his temper. The
 application was answered by Lord Lake, with an intimation that its repetition
 might lead to renewal of hostilities; and, although this intimation did not
 silence Holkar's pretensions, it induced him to urge them in more decent
 phraseology.—MS. Records.

On his way through Maratta, which had been given to Alid Khan
 Khan, as a reward for his services in the war Holkar levied contribution

the Bundi Raja expressly for the aid which he had given during the war to the British. He had scarcely returned to his own domains when he addressed letters, or dispatched emissaries, to the other Mahratta princes, urging them to renew their ancient connexions, and prepare for another conflict with their common foe¹. They were suffering, however, too severely from their recent discomfiture to venture precipitately upon so dangerous an enterprise, and, whatever the opinion which they might at first have been disposed to entertain of Holkar's courage and conduct, it was speedily effaced by his outrageous behaviour and eventual derangement.

The first object of Holkar's policy after his return to Malwa, was, the maintenance of a military force far beyond his own unaided resources. The plunder of his neighbours offered the only means of filling his treasury, and the quarrels of the Rajput princes unhappily afforded to him, even in a greater degree than to Sindhia, an opening for pecuniary exactions. On his return from the Punjab, Holkar halted for about a month in the Jaypur territory, and, whilst his army laid waste its fields, he received eighteen lakhs of rupees from the Raja, as the price of his withholding his aid from the Raja of Jodhpur, with whom the Raja of Jaypur was at strife, and who, by giving shelter to Holkar's family when the Mahratta fled from Lord Lake, had established some claim to his gratitude. The money extorted from Jaypur precluded him from giving personal assistance to Jodhpur, but he evaded the strict fulfilment of the bargain by permitting his chief leader and intimate associate, Amiri Khan, to carry his mercenary bands to whichever of the contending Rajas should bid most largely for their services. Holkar then occupied himself with the castigation of the Raja of Bundi, exacting from him heavy contributions, and with enforcing demands of a similar nature from Zalim Sing, regent of Kota. He then withdrew to Rampura-Bampur, where his health rapidly gave way to habitual intoxication and

on the villages, and laid waste the lands. The Khan applied for military succour: this was refused, but in consideration of the recent date of the grant, and the impossibility of his having had time to organise his resources, pecuniary compensation for his losses was awarded to him.—MS Records

¹ Sindhia, the Peshwa, and the Raja of Nagpur severally communicated these letters to the Residents at their courts.—MS Records

BOOK I. unrestrained indulgence, the effects of which were exacerbated by the compunctious visitings of conscience.

CHAP. I.

1807

The animosity borne by the Peshwa to Holkar augmented his dissatisfaction with the favourable terms granted to that chief; and he strongly objected to the treaty which the British Government had concluded, that it conferred upon him rights and possessions to which he had no claim. In truth, Jeswant Rao Holkar had become the head of his house, partly by accident, partly by his own exertions. Tukaji Holkar his predecessor left two legitimate sons, Kasi Rao and Malhar Rao. His third son, Jeswant Rao, was his son by a concubine. Kasi Rao, the eldest son, was deformed in body and infirm in mind, and his unfitness for the administration of affairs induced the chief officers of the state to give the preference to his younger brother Malhar Rao. Sindhya took part with Kasi Rao and, in the contest that ensued, Malhar Rao was killed, and Jeswant Rao, who had upheld his cause was obliged to seek safety in flight. After encountering many

ing Kandi Rao the lawful Raja, and threatening to depose Jeswant Rao as usurper¹ The danger was imminent, the money was raised, the mutinous soldiers were paid and dismissed they dispersed to their homes without any concern for the fate of the unhappy youth whom they had used as their instrument of intimidation, and abandoned him to those jealous apprehensions which they seem to have first excited In a week Kandi Rao was no longer an object of fear It was given out that he had died suddenly, but it was the universal belief that he had been poisoned, if not by the orders, at least with the acquiescence of Holkar²

BOOK I.
CHAP. I.
1808

To this crime succeeded an event which in current belief was of an equally atrocious character—the death of Kasi Rao The accounts of this transaction vary in some of the details, although they correspond in the outline Kasi Rao resided in a stronghold in the province of Nimaur, of which the governor was Chimna Bhao, the Gooroo of Holkar, and known to be his ready counsellor and agent in every deed of infamy and guilt An insurrection under some military leaders had broken out in the adjoining district of Kandesh, and one of their parties attacked Chimna Bhao with a view to obtain possession of the person of Kasi Rao, and place him at their head To disappoint their design, and prevent Kasi Rao from falling into their hands, Chimna Bhao caused him to be put to death There does not appear to be any conclusive evidence that Holkar himself had suggested a pretended attack upon his minister as a pretext for the murder of his brother, or any reason to infer that the act was not solely attributable to the unpremeditated and reckless cruelty of Chimna Bhao³ The imputation of being accessory to the

¹ Malcolm's Central India, i 242 According to Amir Khan's account of the affair, this plan of enforcing payment was adopted by his recommendation, not without a suspicion on Holkar's part that the whole was a device of Amir Khan to obtain an adjustment of his own claims—Mem of Amir Khan, 290

² Central India, i 244 Amir Khan asserts unhesitatingly that Holkar caused poison to be administered to his nephew, and so destroyed him, Mem 307

³ According to Malcolm, on the authority of Bangash Khan, one of the insurgent Patan leaders, a party under his confederate, Dadan Khan, attempted the release of Kasi Rao, who was confined at Kargond, in Nimaur, to prevent which, Chimna Bhao had him murdered in the thicket some distance from the fort According to the evidence of a Sipahi, in the service of Chimna Bhao, present at the murder, Kasi Rao was killed in Bijaygerh, a

BOOK I. deed was however fixed upon Holkar by common consent,
CHAP. I. and popular belief regarded his insanity as a just retribu-
1802. tion for the murder of a nephew and a brother. He
became subject to fits of mental derangement shortly after
the death of Kasi Rao they alternated with intervals of
reason for about a twelvemonth, when they subsided into
an unintermitted state of roody fatuity which after a du-
ration of three years terminated in death.

The affairs of Holkar's dominions were conducted during
his incapacity by his favourite mistress Tulasi Bai and
her minister Balaram Set. but their hands were too feeble
to maintain a steady curb upon the disorderly troops and
their aspiring captains, and the country speedily became
the scene of plunder and confusion. The party in handah
under Dadan Khan and other Patan leaders acquired a
formidable consistency after the murder of Kasi Rao.
They placed at their head Mahipat Rao Holkar first cousin
of Jewant Rao, and proclaimed him sovereign. The troops
sent against them either joined their ranks or were de-
feated and they had a fair prospect of success, when, un-
fortunately for their cause they extended their depredations
into the territories of Poona and Hyderabad, and imposed
upon the British Government the duty of protecting its

allies The subsidiary forces of both states took the field. Colonel Wallace marched from Poona with one division, and Lieutenant-Colonel Doveton from Jálma with another. By a rapid cavalry movement of one hundred miles in forty-eight hours, Colonel Doveton came unexpectedly upon the insurgents whilst besieging Amalner, a fort belonging to the Nizam. Most of their horse, and part of their foot, were destroyed. The shattered remains took refuge amongst the hills north of Kandesh; they were vigorously followed thither by Colonel Wallace, and the leaders were seized and delivered to him by the Bhils, the inhabitants of the forests with which the hills are clothed. The Patan chiefs were conducted prisoners to Poona. Mahipat Rao escaped, but, separated from his military associates, he soon fell into obscurity and occasioned no further trouble.¹

BOOK I
CHAP I

1809

A different destiny awaited another of Holkar's Mohammeden captains, who, by a singular combination of enterprise, craft and good-luck, rose from the condition of a soldier of fortune to the recognised rank of an independent prince. Amir Khan was by descent an Afghan, whose grandfather had emigrated from Buner, and settled in Rohilkhand. From his earliest youth he had led the life of a soldier, seeking service, sometimes with a few followers, sometimes with a larger troop, in the armies of the various princes and leaders, who in the last days of the Mogul empire were ever ready to enlist adherents. For a considerable time his fortunes were precarious, and he was not unfrequently in want even of a meal, but he gradually became a captain of some note, and took a conspicuous share in different military and political transactions, of which Malwa and the valley of the Nerbudda were the principal field. He lent good aid to Vizir Mohammed in the defence of Bhopal, but the resources of that chief being exhausted, he listened to proposals from Holkar, and united himself thenceforth steadily to his interests. Holkar was then making his escape from Nagpur, where he had been detained by the Raja, and had no greater following than a rabble of two or three hundred men, ill-armed, undisciplined, and living by plunder. The junction of Amir Khan with a force respectable in numbers and

¹ MS Records, Central India, 1 234

BOOK I.

CHAP. 2.

1809

equipment turned the tide of his fortunes, enabled him to possess himself of the territories of his family and placed him in a position formidable to Sindūh, to the Peshwa, and the English. Amir Khan shared in his prosperity and did not desert him in adversity. He accompanied Jeswant Rao, as we have seen, in his flight to the Punjab, and returned with him to Malwa. Although professing allegiance to Holkar and acting in his name Amir Khan retained the independent command of his own troops, and held himself at liberty to provide for their support by contributions levied at his pleasure from the princes in whose dominions he found it profitable to interfere. After Holkar's insanity he interposed occasionally in the disputes that occurred at court, but large bribes secured his general support of Balaram Set and the Dhai. The necessity of raising funds for the payment of his soldiers after he had drained the coffers of the Rajputs impelled him, shortly after the date at which we have arrived, to turn his steps in the direction of Berar and brought him, as we shall subsequently have occasion to notice once more into collision with the Government of British India.¹

Such was the utter prostration of the Mahratta confederacy upon the close of the war the Peshwa, chafing secretly under the fetters to which he had rashly submitted, but impotent to break them, and affecting to wear them with cheerfulness the Oakwar saved from ruin and ruin by the tutelage of his allies the Raja of Berar unable without the same assistance to protect his country from Pindari pillage and Afghan arrogance Sindūh, humbly begging a paltry pittance from the power he had lately encountered with almost equal arms and Holkar intoxicated and insane with his country devastated by his own rebellious soldiery and his court distracted by the turbulence and profligacy of factional competitors for the authority which he was no longer in a condition to exercise Yet, notwithstanding this abject state of the two last-named chieftains, the British Government persisted in its purpose of conciliating their good will, by leaving them

¹ Notices of the career of Amir Khan are to be found in Malabar, General India, Fraser's Administration of the Marquis of Hastings, &c. The most authentic account is kind of autobiography or Memoirs of Amir Khan, composed by Persian from his own dictation by Mirza Fakhruddin Lal, translated by H. T. Prinsep Calcutta, 1822.

unquestioned licence to prey upon their still more feeble and disunited neighbours, the princes of Rajputana

BOOK I
CHAP. I

1807

That portion of Hindustan which extends from the districts bordering on the west bank of the Jumna to the desert that skirts the eastern borders of the Indus, and which lies between the Punjab on the north, and Malwa and Guzerat on the south, is collectively known as Rajawara or Rajasthan, as being in an especial degree inhabited by tribes allied by community of origin, institutions, and character, and claiming as Rajputs, or "sons of kings," to represent the military and regal caste of the primitive Hindus. The country was distributed, at the period in question, amongst a number of princes, some of whom were of comparatively little political importance, from the limited extent of their territory, whilst others, although ruling over more spacious tracts, were equally unimportant, from the sterility of the soil, and the scantiness of the population. Among these, three princes were acknowledged to be pre-eminent in rank and power, the Rana of Udaypur, the Raja of Jodhpur, and the Raja of Jaypur, so entitled from their respective capitals, but, more correctly speaking, the rulers of Mewar, Marwar, and Dhundhâr, the names of their several principalities.

The Rana of Udaypur reigned over a rugged but not wholly sterile territory on the north-west of Malwa. He pretended to a direct descent from Râma, the mytho-historical monarch of Ayodhya, or Oude, through his son Lava, who migrated to the west. The Ranas of Udaypur are therefore regarded as members of the Suryavansa, or Solar dynasty of the Hindus, but, as Rajputs, they belong to the Sisodia branch of the Gahilote tribe. They are admitted to precedence over all other Rajput princes, who accept from their hands, upon succeeding to their principalities, an ornament worn upon the forehead, in confirmation of their accession.¹ From the time of the

¹ Colonel Tod remarks, that, whilst the genealogies of many of the Rajput princes are questioned, the Hindu tribes yield unanimous suffrage to the ruler of Mewar as the legitimate heir of the throne of Rama, and style him Hindua-Suraj the Sun of the Hindus. He subsequently, however, adverts to the curious tradition mentioned by Abulfazl, Ayin Akbari, ii 8, and repeated in fuller detail by Wilford, Asiatic Researches, ix 233, of the descent of the Ranas of Udaypur from Naosahirwan, king of Persia, through his son Naosahirzad. He is said to have rebelled against his father, and, being defeated, to have fled into Hindustan, whence he returned to Persia with an army of

BOOK I. Mohammedan Invasion of India, the Ruins of Udaypur
 CHAP. I. were constantly engaged in warfare with the kings of Delhi,
 1807 and repeatedly sustained fearful reverses. Driven from
 their capital, Chitor, they transferred their residence more
 to the west, where Udaya Raja built a city named after
 him Uday pur towards the end of the sixteen century;
 and in the strong country in its vicinity they maintained
 their independance.

Separated from Mewar by the Aravali Mountains on the
 north-west, lies the principality of Marwar the capital of
 which is Jodhpur great part of this country is a sandy
 desert, but it contains some fertile tracts, especially on
 its southern boundaries. The Raja of Jodhpur is a member
 of the Rahtore tribe of Rajputs, and traces his descent
 from the family that reigned over Kanauj at the period of
 the Mohammedan conquest; on which occasion two sons
 of the last prince, Jayadava, fled to the west, and settled in
 the almost unpeopled districts of Marwar. From the elder
 brother descended the reigning dynasty; one of whom,
 Jodha, was the founder of Jodhpur in A.D. 1450 the
 younger is claimed as their ancestor by the chief Thakurs,
 or feudal nobles of the state. The Rahtores of Marwar like
 the Gahlotres of Mewar suffered many vicissitudes in their
 encounters with the Mohammedans but, in the reign of
 Akbar and his two successors, their Rajas submitted to be
 treated as servants of the Mogul empire holding high
 offices both civil and military and becoming connected
 with the imperial house by giving their daughters in mar-
 riage to the Emperor or his sons. The bigotry of
 Aurangzeb forced them to take up arms in defence of their
 religion; and in a war of thirty years continuance although
 frequently defeated in the field, their spirit was unbroken,
 and their principality unsullied. After the death of

Indians & were again defeated, and their state in ruin & this line remained
 in India, and from them the Raas descended. Another legend is of the
 family of Mahabharata, the father of Y. legend, the last monarch of Persia -
 Ansh of Ka, or Shah, & Y. legend. And third, it is not improbable that there may
 be some connection between the Persian and Rajput families. The late
 discovery in the soil of India of coins of the general character of those of the
 Sassanian kings, and bearing Indian and Persian portraits and inscriptions,
 establishes the fact that some of these princes exercised authority direct or
 through Indian intermediaries on the western of Hindustan, and renders it probable
 that some such intercourse as that which is contemporarily traced the royal house
 of Thaur with the Rajput princes may have subsisted, and given rise to the
 tradition. - *Asiatic Researches*, p. 670.

Aurangzeb, their friendly intercourse with Delhi was resumed, and they were seen taking a prominent part in the disorders that ensued. The decline of the empire freed them from all semblance of vassalage, but their own dissensions and crimes were more fatal to their power and reputation than their subservience to the Emperor.

The country of Dhundhár, or from its capital, Jaypur, lies on the north and east of Mewar and Marwar, extending towards the Jumna. It is the territory of the Kachwáha Rajputs, who consider themselves to be the posterity of Kusa, another son of Rama. The origin of the principality dates no earlier than the tenth century, and its capital was built only in the beginning of the eighteenth.

From its eastern position, the principality lay exposed to the attacks of the Patán sovereigns of Delhi, but it was not until the accession of the house of Timur that its Rajas became feudatories of the empire. From the reign of Baber they acknowledged the supremacy of the Mogul, and were distinguished amongst the principal officers and nobles of his camp and court. They were early connected also with the imperial house by marriage, several maidens of the race becoming the brides of the Mohammedan princes.¹ Raja Jaysing, the founder of Jaypur, was actively concerned in all the stormy transactions of the disastrous period which followed the death of Aurangzeb, until observing the irretrievable ruin of the empire, and the irresistible progress of the Mahrattas, he made terms with the latter, and withdrew from the politics of Hindustan, to the cultivation of the arts of peace, and the improvement of his country. He died in 1743. After his death, Dhundhár became a prey to intestine divisions and Mahratta spoliation.

At the close of the war with the Mahrattas, Rana Bhím Sing was reigning at Udaypur, Mán Sing was Raja of Jodhpur, and Jagat Sing, of Jaypur. Neither of them possessed the qualifications which the times demanded, the patriotic sentiments which should have suppressed

¹ Bhagwan Das is said to have been the first Rajput who submitted to an alliance with a Mohammedan family. his daughter was married to the son of Akbar, Prince Selim, afterwards the Emperor Jehangir. Mán Sing, nephew of Bhagwan Das, was a great favourite with Akbar and was successively viceroy of Bengal, Bahar, the Dekhin, and Cabul.—Annals of Rajasthan, 1 353

BOOK I selfish feelings and leagued them with their fellows, the
 CHAP. I. judgment capable of estimating their own true interests,
 or the courage and energy necessary to maintain their
 180 independence. Listening alone to the dictates of per-
 sonal enmity they paralysed by their dissensions the
 valour of their subjects, and aided and abetted the foreign
 robber in the work of mutual destruction. The cause of
 quarrel by which they were at this time exasperated
 against one another was peculiarly characteristic of the
 race, and to be paralleled only in the poetical traditions of
 distant ages.

Krishna Kumari, the daughter of Bhim Sing Raja of
 Udaypur was a maiden of reputed beauty and of un-
 doubted rank, and was consequently an object of desire
 to the other Rajput princes. Whilst yet a child, the Raja
 of Jodhpur named also Bhim Sing, had made overtures
 for her hand but the alliance was prevented by his
 death. She was then solicited in marriage by Jasat Sing
 of Jaypur and his proposals were accepted by the Raja.
 An escort of three thousand troops was sent to Udaypur
 to convey the princess of Jaypur for the solemnization of
 the nuptials, when the negotiations were interrupted by
 the rival pretensions of Man Sing, the Raja of Jodhpur.
 He demanded the princess as the affianced bride of his
 predecessor and declared that her marriage into any other
 family would bring indelible disgrace upon him and his
 tribe. Man Sing is said to have been instigated to the
 assertion of his claims by one of his chief Thakurs, Sawal
 Sing, who, for purposes of his own, sought to involve his
 liege lord in hostilities with the surrounding states.

Bhim Sing, the preceding Raja of Jodhpur left at his
 death his widow pregnant; and it was a condition of
 Man Sing's accession, that, if the child should prove to be
 a boy he should assign to the infant prince that portion
 of the royal domains which were regarded as the appanage
 of the heir apparent. A boy was born; but, fearing to
 intrust him to the care of the Raja, the mother kept his
 birth secret, and the infant was sent privily to Lukarna,
 the castle of Sawal Sing where he was concealed. At
 the expiration of two years his protector expelled the
 chief feudatories of Jodhpur greatly discontented by the
 preference given by the Raja to certain of his favourites.

communicated to them the birth and existence of the prince, and secured their concurrence in the vindication of his claims. They repaired accordingly in a body to the Raja, and demanded the fulfilment of his engagement. Mán Sing, with some reason, required evidence of the genuineness of the pretended heir, but the Rani when appealed to, fearing, it was affirmed, for her own safety, denied that she had given him birth. The chiefs were silenced, but not satisfied, and Sawai Sing awaited a more favourable season for advancing the pretensions of the youth whose cause he had espoused. It was with this view that he urged Mán Sing to demand the hand of the princess of Udaypur, anticipating the series of difficulty and danger in which he would be consequently involved. The anticipation was speedily realized. The party sent to Udaypur by Jagat Sing was attacked and routed, and the Rana was compelled to retract his assent, and affianced his daughter to Mán Sing. His rival was furious at the disappointment and the insult, and a war broke out between the two Rajas, which was equally destructive to all the Rajput principalities.

From the time when the first Bají Rao established the ascendancy of the Mahratta power in Central India, the princes of Rajputana had been forced to pay the Chauth, the fourth part of their annual net revenue, or a sum arbitrarily estimated equivalent to a fourth, as a fixed tribute. The payment was at first made to the Government of Poona, but, as the authority of Sindhia and Holkar came to supersede that of the Peshwa, they claimed it as their right. The indefinite scale by which the tribute was measured, and the relative ability of the parties to enforce or resist the demand, rendered the actual amount payable undetermined, and it was no part of Mahratta policy to admit of a composition, as the vagueness of the sum afforded them a convenient plea for unlimited exaction. There was consequently a constant arrear due by the Rajput states, and a constant pretext for the desolating incursions of the Mahratta troops. In the division of the spoil, the Jaypur tribute was appropriated by Holkar, that of Udaypur and Jodhpur by Sindhia, but they had also conflicting pretensions each to a portion of the plunder of the other. The

BOOK I. Peshwa had likewise his claims to a share, but his alliance
 CHAP. I. with the British debarred him from their compulsory
 enforcement.

1807

The Raja of Jodhpur lost no time in influencing the Mahratta chiefs to befriend his cause. Sindhia was already at variance with his rival, the Jaypur Raja having refused to pay some of his extortionate demands and Holkar was indebted to him for protection which he had given to the family of that chieftain during his campaigns in Hindustan. The Raja of Jaypur disregarded the combination, in reliance upon the British Government, with which he entered into alliance¹ and which, in the treaty of peace with Holkar as concluded by Lord Lake had cancelled the Mahratta's claims upon its allies, and dispossessed him of all territory north of the Bundi Hills. The declaratory article of Sir G. Barlow as already noticed, annulled these stipulations, and virtually excluded the Raja of Jaypur from the benefits of the alliance upon which he had depended and it was not to be wondered at that he should have remonstrated strongly against his desertion. His abandonment was wholly indefensible. It was not to be controverted that a treaty had been contracted with him, by which the enemies of one of the contracting parties were to be considered as the enemies of both and the Raja, in the event of a dispute with any other prince was entitled to British mediation and aid. When he required the fulfilment of the stipulations, he was told that no treaty existed; it had been virtually abrogated by the non-performance of his part of the compact. He had recalled his troops from Monson's detachment during its retreat; he had not sent his forces to join the British army when it moved northwards, but despatched them to Ujainpur; and had not only failed to cut off Holkar's supplies, but allowed him to march through the Jaypur territory. He said in answer therefore anything to expect from the British Government." The Raja denied the justice of the charges adduced against him. He affirmed that his troops had separated from Colonel Monson with that officer's consent and by the orders of Lord Lake; that although his

1804.

¹ The treaty is dated 17 Dec. 1803. It is in the collection by Mr. F. in left blank.—Coll. of Treaties, p. 222.

forces were on their march to Udaypur, yet as soon as their services were required, they suspended their march, and joined the Bombay army under General Jones, and that General Jones and Lord Lake had both furnished him with their written acknowledgments of the promptitude and efficacy of his co-operation. Lord Lake had also given him strong assurance of the stability of the alliance. He represented, that, if the British Government had been dissatisfied with his conduct at any particular time, it should at that time have expressed its displeasure, and at once have declared the alliance annulled. To have continued to employ the services of the Raja until they were no longer needed, and reserved all expression of dissatisfaction until it could be used as a pretext for getting quit of an inconvenient obligation, was both disingenuous and dishonourable, to desert an old friend because the tide was setting against him, was ungenerous and unjust, and the powers of India could not but regard the conduct of the Government of Bengal as a departure from that good faith which it had hitherto been its pride to preserve inviolate. The argument was incontrovertibly in the Raja's favour. The Government had continued to exact and receive from him services to which he was bound by treaty after the commission of those acts which they subsequently held to have virtually annulled it. Admitting that the Raja had broken his engagement, the Government, by accepting his aid as if no such breach had occurred, virtually admitted its non-occurrence, and recognised the engagement as still subsisting. It was, however, the inflexible policy of the Governor-General to abstain from interference, and the remonstrances and reasonings of the Raja of Jaypur were unavailing.¹ He

¹ The remonstrances of the Raja were strongly supported by Lord Lake, as noticed in a preceding volume. The Court of Directors also, although they did not enjoin the renewal of the alliance, disapproved of its dissolution, concerning its justice extremely questionable, "as although the Raja had failed in the performance of his engagements during the war with Holkar, yet he had furnished assistance towards its conclusion at the instance of Lord Lake and under an expectation held out by his Lordship that the protection of the British Government would be continued to him, and they thought it necessary to enjoin the Government of India to take care, in all its transactions with the native princes, to preserve its character for fidelity to its allies from falling into disrepute, and to evince a strict regard, in the prosecution of its political views, to the principles of justice and generosity." The sincerity of these expressions would have been less liable to question if the policy which they condemned had been countermanded.—Malcolm's Political Hist of India, i 390

BOOK I. was consigned to the equally inexorable policy of the
 CHAP. I. Mahrattas and the first-fruits of his desertion were the
 plunder of his country by the disorderly bands of Holkar
 1807 as they returned from the Punjab, and the payment to
 his leader of twenty lakhs of rupees as the price of
 his withholding assistance from the Raja of Jodhpur¹.

In the war that followed, Holkar so far adhered to the bargain he had made as to refrain from joining in person either of the rival Rajas. It did not, however prevent him from permitting Amir Khan to enlist his mercenaries in their quarrel.² The Patán entered into the service of Jagat Sing the Raja of Jaypur was also joined by Sawal Sing and the nobles of Jodhpur who supported the claims of the posthumous son of their last Raja, and Mán Sing was deserted at the moment of encountering his enemies by almost all his principal chiefs. He was compelled to fly and seek refuge in the citadel of Jodhpur; while the confederates overran and ravaged the rest of the country. They then laid siege to the capital but it suited not the policy of Amir Khan to suffer the Raja's extermination; and taking, or affecting to take umbrage at want of punctuality in the payment of his troops by the Raja of Jaypur he abandoned Jagat Sing accepted money and promises from Mán Sing, and, marching into the country of Jaypur commenced a course of depredation which speedily compelled the Raja to break up the siege of Jodhpur and hasten to the defence of his own dominions.

Holkar's Yakei expressed the's master's acknowledged to Lord Lake for the violation of the treaty. He J' year personally was intended to console him. The act was viewed in the same light by the Peshwa and Raj of Nagpur - MS. Extracts.

The Amir and Holkar got pretended disagreement as excuse for the non-fulfilment of the promise of the latter's agent on account of the war. They he makes Holkar say 'You must be aware from me as public as he quarrel, so that our enemies and the world in general are of your continuing to raise troops in course of destruction and destruction to me and not of me with any concurrence or assistance. We will be satisfied one another in an of occasion and let to be for our lives. When the Amir and I shall have in our further march word passed between him and the Mahrattas and so to the time when the Amir occupied his path, on a high of exposure. The Mahrattas, turning on him and gave advantage took hold of the feet of him, and made show of endeavouring to smother and oppress the Amir. The Amir however pretended not to know, but returned to his army.' p. 279.

The terms of his conquest of Mán Sing were according to Amir Khan's statement, that he should pay four lakhs and 875 thousand rupees (£4,87,500) per annum, besides taking brigade into permanent service and should further give the Amir Jagir of four lakhs for Mahrattas' persons, and one for Jagir also on his principal officers. p. 274.

A double game was in like manner played by Sindhia In the first instance he befriended the suit of the Jodhpur Raja, and contributed to the defeat of the troops sent to escort the princess to Jaypur,¹ but, having received payment of considerable sums affirmed to be due to him from the Rana, he professed to remain neutral in the contest. His principal captains were, however, allowed to side with either of the competitors. They ranged themselves under the banners of Amir Khan, and assisted to ravage Jodhpur until the harvest was gleaned, when Ambaji Ingolia renewed his connexion with Mán Sing, and Bapu Sindhia and Baptiste extended their marauding expeditions to the districts on the west of the Jumna, with which the British Government had purposed to recompense the attachment of its adherents.

BOOK I
CHAP. I

1807

The services of Amir Khan were not confined to the relief of Jodhpur from the presence of a victorious army, or to the retaliation of the havoc which it had committed. He engaged to rid Mán Sing of an enemy more formidable than his rival Raja, and put an end to the internal divisions that in a still greater degree endangered his security, by the murder of Sawai Sing, and the extinction of the faction of which he was the head. Simulating a quarrel with Mán Sing, Amir Khan quitted him in seeming anger, and marched to Nagore, where Sawai Sing and the pretender had fortified themselves. Here he induced the Rahtore chief to believe that he might be bought over to their cause, and the advantages resulting from his alliance blinded the Rajput to the peril of unguarded intercourse with so perfidious a confederate. With the assumption of entire confidence, Amir Khan visited Sawai Sing, and gave him the most solemn assurances of his sincerity, suspicion was completely disarmed, the visit

¹ Tod has two apparently contradictory accounts of this transaction. In one place he states that Sindhia was encamped in the territory of Udaypur in the course of enforcing pecuniary demands upon the Rana, and that, having at the same time been denied a contribution from Jaypur, he insisted upon the dismissal of the Jaypur embassy. Upon the Rana's refusal he advanced with his brigades, defeated the troops of Udaypur joined by the Jaypur detachment, which he dispersed, and, encamping near Udaypur, compelled the Rana to submit to his conditions.—Annals of Rajasthan, I 461. In another place he says, Mán Sing assembled three thousand horse, and, joining to them the mercenary bands of Heera Sing then on the frontier of Mewar, he intercepted the nuptial gifts of Amber, II 142. The first account is probably the more correct, as Tod was in Sindhia's camp, or it may be possible to reconcile the two.

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was returned, and the Rajput was received in the tent of Amir Khan, with every demonstration of respect and cordiality. Inventing a plausible excuse for a short absence Amir Khan withdrew; the cords of one side of the tent were immediately let loose, and, whilst all within it were entangled beneath its folds, an indiscriminate fire of musketry and grape was poured upon them. Sawai Singh, his friends and attendants, those of Amir Khan himself, the dancing girls and musicians, all who had been present at the interview were alike the victims of this murderous device. The death of his rebellious feudatory put an end to the dangers and fears of the Raja of Jodhpur. Nagore was plundered, but Dhokal Singh effected his escape and found a protector in the Raja of Bikaner until a superior force besieged the Raja in his capital, and compelled him to withdraw his protection, and pay a heavy fine for his hospitality. The young prince then fled to the British territories and there remained in security.

The state of affairs in Holkar's camp having called Amir Khan thither the Rajput princes were relieved awhile from his exactions. Jajpur enjoyed but a brief respite, as Sindhiah presently demanded compensation for the services rendered by his troops—services which he had pretended not to sanction, and which, in truth, they had never discharged. The claim was no admitted upon which he led his army across the Chumbal, and set down before Dhunt, which he fruitlessly besieged. Filled in this object, he listened to proposals from the Raja, and agreed to accept seventeen lakhs of rupees as the price of his retreat, having inflicted upon the country damage to an infinitely larger amount.

Although the Raja of Ujjainpur had taken no part in the war and had therefore given less occasion than his neighbours to any pretext for Mahratta extortion, he was obliged to drain his treasures in order to purchase the forbearance of both Sindhiah and Amir Khan. The exha-

¹ According to Tod, the price of the order was ten lakhs of rupees. The reward of Sindhiah and Amir Khan was, each yielding an army of five and of 20,000 rupees. The Raja of Ujjainpur gave the price of the order of 17 lakhs of rupees, of which 10 lakhs were paid at the time. The other three lakhs were reserved. The additional expenses of the Raja were paid to him by his father-in-law and others of his principal leaders. The amount of the money he used without an attempt at extortion, and even to give it as an allowance. (Tod's Annals, p. 267, 277.)

tion of his resources was, however, less painful to him than the degradation which he felt in being obliged to treat them as equals, and the total want of deference which upstart adventurers and military robbers paid to his exalted rank and ancient descent. In his distress, he applied earnestly for the intervention of the British Government, and offered the cession of one half of his territory, if it would protect the other half from Mahratta spoliation. The same interposition was solicited by another Rajput prince, Zalim Sing of Kota, who, although he had wisely kept aloof from the contest between the rival Rajas, had nevertheless been repeatedly mulcted by Amir Khan and Sindhia, and the contending princes of Jaypur and Jodhpur, made a similar urgent appeal to the Government of Bengal, pledging themselves to abide by its mediation, and to submit to any conditions it should please to impose. They depended upon its interference as an obligation which it was bound to fulfil, as inheriting the paramount sovereignty of Hindustan. The dignity and power of the imperial court of Delhi had been appropriated by the Governor-General and the Council of Calcutta, and, along with the authority, the duties which the Emperors were accustomed to discharge, had devolved upon them. The weaker states of India, they argued, had a natural right to look up to the British Government for protection against the ambition and rapacity of the stronger, and they denied that there was any valid excuse for its questioning the right, when it was fully capable of exercising the power. The Mahrattas, who were at that moment spreading terror and desolation from the Setlej to the Nerbudda, were wholly incompetent to offer any opposition to the arms and authority of the Company, and the Governor-General had only to speak the word, and universal tranquillity would be restored. The policy of this course, they maintained, was equally obvious with its justice and humanity, for the British territories would derive security and prosperity from the suppression of disorders, which excluded their population from all amicable intercourse with the surrounding countries, and kept their own frontiers in perpetual disquietude and alarm. To these representations the principle of non-interference was inflexibly opposed, and Central India was allowed to

BOOK I

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BOOK I. fall into a condition of anarchy and ruin, which was accelerated rather than arrested by the removal of the innocent cause to which its present misery was ascribed.¹

1807

When all hope of the protection of the British Government was resigned, the Rana of Udaypur was driven to the unpalatable measure of retaining the services of Amir Khan a fourth of his revenues was assigned to the Mohammedan leader as the hire of one of his brigades to be employed in collecting the revenues and guarding the frontiers of Mewar. The influence thus obtained by Amir Khan in the councils of Udaypur afforded an occasion for a new display of his recklessness of human life, and added another victim to the many whom he had unscrupulously sacrificed to his interest or his policy. He instigated the Rana to put his daughter to death. He also hinted, that, as the ally and friend of Mán Sing he should, if he found an opportunity carry her off by force and deliver her to the Raja and he promised, if the Rana followed his advice to assist him in recovering possession of a district in the hands of Mán Sing which he coveted. The natural reluctance of the father was overcome by the blended motives of policy fear and hope and poison was administered to the princess.

The transactions in which the three principal Rajput states were involved with the Mahrattas for some years subsequently to the restoration of peace between the latter and the English, have been described at some length, not only on account of their importance in the general history of Hindustan, but of their connexion with subsequent events, by which they were brought within the pale of that protection which they now solicited in vain. A brief notice will suffice for the remaining chiefs of the Rajput tribes.

The Raja of Bikaner, Surat Sing, was a member of the family which reigned over Marwar. His ineffective support of the pretender, Dhokal Sing, has been mentioned. After payment of the stipulated contribution he was left unmolested, the desert surface of his country offering little temptation to the marauder. The same circumstance, and the remoteness of its situation, protected the neighbouring state of Jesselmer, lying north-west of Marwar, and inhabited chiefly by the Bhatti tribe of Rajputs. Although secluded from the aggressions of the Mahrattas, domestic quarrels did their work as well.

In an angle formed between Jaypur and Malwa, the province of Hárāvati, so called from its principal occupants the Hára Rajputs, was divided between Kota and Bundi. Kota was under the management of Zalim Sing, nominally minister, but exercising the authority of Raja, his sovereign being content to lead a life of ease and exemption from responsibility. By a remarkable association of craft, prudence and resolution, Zalim Sing, although obliged to pay tribute and occasional extraordinary contributions, contrived to remain on friendly terms with the Mahratta leaders, and to preserve his country from their ravages. He had also established a character for firm and faithful adherence to his engagements, and to his honour and integrity the chiefs of every nation and tribe were accustomed to intrust their families and their wealth.¹ The

princess, although suggested by Amir Khan, was pressed on the reluctant Rana by one of the Rajput nobles, Ajit Sing, whose memory on that account is execrated throughout Rajasthan. They both agree in the cheerful submission of the princess to the will of her father, and the grief of her mother, who died shortly afterwards.—Central India, i 339, Annals of Rajasthan, i. 463.

¹ Ambaji Ingila and Amir Khan both placed their families in the safe keeping of Zalim Sing, and the former deposited at Kota his treasures, which were of considerable amount.—Central India, i 493.

BOOK I. Rana was compelled to surrender himself a prisoner upon
 CHAP. I. a verbal assurance of personal immunity. In the late war
 1807 with the Mahrattas, Ambaji Inglia, who governed Gohud
 on the part of Dowlat Rao Sindhia, went over to his ene-
 mies and, as the reward of his desertion, a portion of the
 territory was guaranteed to him by treaty whilst the
 Rana was replaced in the occupation of the remainder.¹
 The policy of Sir G. Barlow and his anxiety to conciliate
 Sindhia, led him to annul the treaty with the Rana of
 Gohud, upon the plea that he had not fulfilled its con-
 ditions, and that the agreement was therefore virtually
 cancelled. The territory was in consequence restored to
 Sindhia, and compensation was made to the Rana by the
 cession to him of Dholpur which Sindhia had given up.
 The stipulations of the treaty had pledged the Rana to
 efforts beyond his means; and his failure as it proceeded
 from no defection on his part, was not a sufficient excuse
 for the violation of positive engagements. At the same
 time it was evident that the British Government had
 formed an erroneous conception of the rights and power
 of the Rana of Gohud, and that Sindhia had good reason to
 complain of an arrangement which had converted a de-
 pendent of his government into an independent prince.
 The Rana himself, although not placed in the position
 which was at first designed for him, had no little cause for
 self-gratulation in his transformation from the condition
 of a prisoner and a fugitive to that of a prince reigning
 in absolute sovereignty under the security of British pro-
 tection, over a portion of those domains the whole of
 which were held by his ancestors only through the suffer-
 ance of a Mahratta chieftain, subject to his exactions and
 liable to his resumption.

Although seceders in some respects from the orthodox religion of the Hindus, the Sikhs retain so many essential articles of the Brahmanical faith, that they may be justly classed among the Hindu races. In the original institution, the Sikhs were a religious community, who, in consonance with the benevolent objects of their founder, Nanak Shah, a native of the Punjab, proposed to abolish the distinctions of caste, and to combine Hindus and Mohammedans in a form of theistical devotion, derived from the blended abstractions of Sufyism and the Vedanta, and adapted to popular currency by the dissemination of the tenets which it inculcated, in hymns and songs composed in the vernacular dialects. These still constitute the scriptural authority, the *Grantha*, *the book* of the Sikhs. The doctrines and the influence of the teachers gave a common faith to the hardy and intrepid population of the upper part of the Punjab, and merged whatever distinctive appellations they previously possessed in the new general designation of "Sikhs," or "disciples," which thenceforth became their national denomination. As their numbers increased, they attracted the notice of the Mohammedan rulers, and were subjected to the ordeal of persecution. They had recourse to arms under a succession of military leaders, the sword became inseparably associated in their creed with the book, and their ranks were recruited by fugitives from political disorder and fiscal oppression, who readily adopted a faith which made but trifling demands upon their belief, and differed in few material points from that which they professed. Community of danger became the bond of both a religious and a social organization, and a nation grew out of a sect. As the birth-place of their founder Nanak, and of the teacher who in a still greater degree gave to the Sikhs their characteristic peculiarities, Guru Govind Sing, was the Punjab, it was there that they congregated and became organised, in spite of the efforts of the viceroys of Lahore for their suppression, until they had become masters of the whole of the country from the Setlej to the Indus.

will observe, that I consider Sir G. Barlow's treaty with Sindhia to have been consistent with the spirit of that which I was the instrument of concluding at the close of the year 1803, and that the late Governor-General, Lord Wellesley, intended to have carried into execution that part of its stipulations which refers to Gwallior and Gohud."—Hansard's *Parl. Deb*

DOOE I.

CHAP. I.

1807

The circumstances under which the Sikhs achieved their independance were unfavourable to the consolidation of their power. In their hostilities with the Mohammedans they acted without plan and without an acknowledged head, and adopted a desultory system of warfare in which different leaders collected their relations and friends, and unexpectedly fell upon their enemies and laid waste the country. As the means of opposing their incursions declined, they were emboldened to undertake operations of greater importance requiring concert and combination and, for this purpose the different Sirdars assembled occasionally at a public diet usually held at Amritsar the site of their principal shrine. When the Afghans supplanted the Moguls in the government of the Punjab, the Sikh experienced some severe reverses from the military skill and activity of Ahmed Shah but after his death they were at liberty to establish themselves as a political confederacy in the countries which they now occupy. The districts were divided amongst different associations termed *Misals*, implying assemblies of equals under chief of their own selection. The chief was to lead in war and arbitrate in peace: he was treated with deference by the other Sirdars, but they recognised no obligation to obey his commands. Towards the end of the last century twelve principal *Misals* were formed, varying considerably in the extent of territory which they governed, and in the number of horse which they could bring into the field.¹

In the course of time the inherent seeds of a military federation of this description began to be manifested, and individual ambition and ability to a man that ascended which they were calculated to a tribe. Amongst the most considerable of the *Misals* was that of Charat-Chand, so called from the lands which the proprietors of the chief Charat Singh had originally cultivated. Charat Singh commenced a career of aggrandisement at the expense of his neighbours, which his son Maha Singh pursued with still greater success. The son of the latter Ranjit Singh, had, however surpassed both and by a singular combination

¹ An interesting account of the Sikh federations will be found in the "Origins of Sikh power in the Punjab," compiled by Mr. F. George Clark from the report of Captain William Murray, British Agent at Amritsar, Calcutta, 1834.

of courage and cunning, he had brought most of the chiefs on the west of the Setlej under his controul. The chiefs on the east of that river, whose possessions were contiguous to the province of Delhi, professed, after the close of the Mahratta war, an undefined allegiance to the British Government, and some uncertainty with regard to the protection with which it was repaid compelled Ranjit Sing to proceed with caution in his project of extending his supremacy across the Setlej. That he was disappointed in his projects was attributable to the altered policy of the British Government upon the accession of Lord Minto to the office of Governor-General.¹

From the review that has been thus taken of the political circumstances of India during the administration of Sir G. Ballow, it is evident that the supremacy of the British power was virtually established, although matters were not yet sufficiently ripe for its open avowal. Some unnecessary forbearance was no doubt exhibited, and some degree of blame deservedly incurred for apprehensions needlessly entertained, and engagements unjustifiably violated, but it may be questioned if the policy of the Government did not, however undesignedly, promote the consummation which it was intended to avoid. It would have been easy, and it would have been generous, to have interposed in defence of the Rajput princes and rescued them from Mahratta rapacity, but, had the tranquillity of Hindustan been restored by a further expenditure of the resources of Bengal, the latter would have required a longer period for the renovation of its exhausted vigour, whilst the former would have been earlier placed in a condition to provoke and defy its resentment. The continued contests of the native princes operated favourably for the extension of British ascendancy, they disposed the weaker to welcome the approach of foreign protection, and they disabled the stronger from offering effective opposition. On the other hand, the suspension of military operations of any magnitude for several years afforded the British Government opportunity to accumulate and

¹ A description of the religious tenets of the Sikhs will be found in the Asiatic Researches, vol. xvii, and a more general account of their origin and history is published in the eleventh volume of the same collection, by Sir John Malcolm. Mr. Prinsep's work, just referred to, describes their later progress and the rise of Ranjit Sing.

- BOOK I. Improve its resources, and, when again compelled to employ
 CHAP. II. them, to put forth its energies with a might which made
 1806. resistance to it hopeless and elevated it to an eminence
 from which it directed without dispute the destinies of
 Hindustan.
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CHAPTER II.

Sir George Barlow Governor-General.—State of the Finances.—Retrenchments.—Supplies.—Judicial and Revenue Arrangements for Cuttack, the Doab, and Bundelkhand.—Revenue Settlements in the Ceded and Conquered Provinces.—Separation of Judicial and Revenue Functions at Madras.—Murder of Europeans at Vellore.—Arrival of the Dragoons.—Fort retaken.—Military Inquiry.—Disposal of the Prisoners.—Causes and Circumstances of the Mutiny.—Its Origin in religious Panic occasioned by Military Orders.—Similar Alarms at Hyderabad, Walsajabad, and Aundhray allayed or suppressed.—Lord N. Darnley and Sir John Cradock recalled.—Ultimate Decision of the Court of Directors.

application of the Company's commercial remittances to territorial disbursements. Heavy demands still remained for liquidation, the pay of the troops was seven and eight months in arrear, large sums were due on account of pensions to native chiefs and princes, and funds to meet these claims were for some time deficient¹

BOOK I
 CHAP II

 1806

The restoration of tranquillity admitted of economical retrenchments in the principal article of public expenditure, the charges of the military department, and in nothing more than the dismissal of the irregular troops which had been taken into the British service during the war. These were disbanded, in several cases with injudicious haste, and Jagirs were assigned to some of their leaders in commutation of pay or pension. A present inconvenience was thus in a great measure obviated, but the newly acquired districts were burthened with establishments which even in the present day in some degree diminish the revenue that might else be raised from them. Extensive reductions of the regular forces were at the same time effected.

The economical principles which guided the proceedings of the government of Bengal, were equally impressed upon the attention of the subordinate Governments, and the importance attached to the object by Sir G. Ballow, is fully shown by the language in which his views were communicated to Bombay and Madras. He reminded the supreme authorities at both Presidencies that, "the finances of the Company having been involved in extraordinary difficulties by the consequences of the late war, it had become the solemn duty of the different Indian Governments to establish a system of the most rigid economy through every branch of their civil and military expenditure," and he therefore enjoined them "to abrogate all such charges as were not indispensable to the good government and security of the provinces under their controul. The extraordinary demands upon the public resources had arisen," he observed, "almost exclusively from the enhanced charges of the military departments, but the circumstances of India were now propitious

¹ The demands payable by the Bengal Government amounted in May, 1806 to ninety lakhs of rupees, to meet which not above forty lakhs were available

BOOK I. In order to provide for the most urgent and immediate
 CHAP. II. demands, funds were raised by a loan in 1805-6 by which,
 1806. in the course of that and the following year about four
 millions sterling were supplied to the treasury the deficit
 which remained was met by remittances from Europe
 which, during the three years from 1804-5 to 1806-7
 exceeded by two millions sterling the supplies realised in
 England from the proceeds of the Company's trade

Besides the measures adopted for the removal of financial
 difficulties the Indian Governments were occupied during
 the interval between the departure of Marquis Wellesley
 and the arrival of Lord Minto in extending and consolidating
 the revenue and judicial arrangements in various
 districts newly taken under their authority Upon the
 annexation of the province of Cuttack to the presidency of
 Bengal, commissioners were appointed to effect a settle-
 ment of the revenue with the landholders and, in Septem-
 ber 1804, the latter were apprised that at the expiration of
 a twelvemonth a fixed assessment would be levied upon
 their lands, upon a just and moderate consideration of the
 receipts of former years. This announcement was con-
 firmed by a regulation of the Government and the same
 enactment recognised the principle of substituting a quit
 rent for a land assessment in respect to certain petty
 Rajas and Zemindars residing in the mountains and thick-
 ets of Orissa. All other sources of revenue which had
 existed under the Mahratta Government were abolished,
 with the exception of an excise upon spirituous liquors,
 and a capitation-tax upon pilgrims to the temple of Jagan

nath The latter was the subject of a further enactment¹ in the following year, by which the amount of the tax, the mode of levying it, and other circumstances connected with it, were defined, with a view to protect the pilgrims from the unwarranted exactions of the officers of the Government or of the temple, and to maintain order and security in the town of Jagannath-pur and its dependencies. At the same time, provision was made for the administration of justice in civil causes by the institution of a provincial court;² and a revision was effected of the system of police which had been previously in force in Cuttack. The duties of the police during the Mahratta Government had been intrusted to a body of armed men, termed Paiks, or footmen, who were commanded by their own Sirdars or chiefs, and occupied lands exempt from rent, in payment of their services. They were subject to the general control of the landholders within whose domains they were located, and the landholders were responsible to the Government for the prevention of disorders and robberies within the limits of their respective estates.³ This system was unchanged, but, in order to fix upon the landholders a better defined authority and more distinct responsibility, they were formally invested with the title and powers of Darogas, or head-officers of police, under the general superintendence of the magistrate of the province.

The introduction of the Company's judicial and revenue regulations in the territories lastly acquired in the Doab and in Bundelkhand had been accomplished by previous enactments.⁴ Those affecting the revenue were based upon the principle of an ultimate settlement in perpetuity in the Upper provinces as well as in Bengal, but postponing its conclusion to the expiration of certain definite periods. Two successive settlements were to be made for a term of three years each, and a third was to be concluded for a period of four years. On the close of each of the

¹ Reg iv 1806

² Reg xiv 1805. A striking instance is afforded by one of the clauses of this regulation of the high value of money under the Mahratta Government, and its anticipated reduction under the British. In all disputes concerning obligations bearing interest which originated before October, 1803, the court was authorised to recognise the following rates: on sums not exceeding 100 rupees, 30 per cent. per annum, on larger sums, 24 per cent. per annum. Subsequently to the date specified, the rate of interest was restricted to 12 per cent. per annum.

³ Reg lv 1804

⁴ Regs xxv 1803, v viii in 1805

denunciations, as they were uttered with a wildness of manner and vagueness of language which inspired doubts of his sanity. Information still more positive was equally disregarded. At midnight, on the 17th of June, a Sipahi of the 1st regiment, named Mustafa Beg, had come to Colonel Forbes, the commander of the corps, and communicated to him that a plot was concerted to murder the European part of the garrison. The agitation which the man exhibited, and the imperfectly understood purport of his statements, induced the Colonel not only to doubt the authenticity of his testimony, but to refer its investigation to a committee of native officers, who, being all more or less implicated in the conspiracy, reported of course that Mustafa Beg was unworthy of credence, and demanded his confinement as the punishment of his calumnious aspersions. He was accordingly placed under arrest, and so remained until the mutiny and murder which he had in vain announced had taken place¹. The utter neglect of these intimations, and their vagueness and infrequency, might seem extraordinary, if there were not reason to believe that there prevailed at the time a more than even the usual estrangement between the European officers and the native troops, which is too often engendered by the contemptuous indifference entertained by the former for the feelings and opinions of the latter, and by their imperfect acquaintance with the native languages. Had there been any cordiality between the European officers and the native garrison,—had any of them deserved the confidence and attachment of his men, it is not to be credited that only a single individual should have been found faithful among the many who were privy to the conspiracy, and that Mustafa Beg should have stood alone in his communications. Had there not also been some want of vigilance on the part of the officers of the garrison, it is difficult to conceive that they

¹ Mustafa Beg escaped during the tumult, but returned to the fort a few days afterwards, and was rewarded for his conduct by a pecuniary donation of 2000 pagodas and a Subahdar's pension.—G. O. Madras, 7th Aug 1806. A European woman, who had resided some years in Vellore, also apprised Colonel Fancourt that secret meetings were held by the Sipahis in the Petta, at which seditious language was held. No attention was paid to her testimony, as her character was disreputable.—MS Proceedings of Court of Inquiry.

Still more untenable were the opinions of those who beheld in the transaction the evidence of a general plot among the Mohammedans of the Dekhin to restore the sovereignty of Islam and expel the unbelievers, yet the Government of Madras was at first inclined to adopt this view, and declared its impression that a widely diffused confederacy had been formed to subvert the British power and raise that of the Mohammedans upon its downfall. The calm and sound judgment of Sir George Barlow saw the business in its true colours, and questioned the reality of any extensive or secret combination of the natives, and Lord William Bentinck retracted his opinion. It was nevertheless persisted in by Sir John Cradock and several officers of the Madras Army, although no conclusive proofs were ever adduced, and probabilities were decidedly against them¹. Of whom was such a confederacy to be composed? The Mohammedan princes of the Dekhin were not likely to feel any great sympathy for the descendants of a military adventurer whom, while living, they had despised, even while they feared him. The principal of them, the Nawab of the Carnatic and the Nizam, could not have entered into such an association without its coming to the knowledge of the English authorities, and no grounds, even for suspicion against them, were ever detected. It was still less probable that the Hindu Rajas and Poligars would engage in a scheme, the success of which must have brought back the days of Moslem bigotry, intolerance and persecution. In short, all the evidence examined tended to show, beyond the possibility of cavil, that there had been no intercourse whatever between the family of Tippoo and

¹ Much stress was laid upon information received from a native Snabhdar of cavalry, who had been long in the service of the Company, and professed devoted allegiance to the Government, but all that was fairly deducible from his communications was, that the disaffection of the troops was more extensive than had been imagined. All the causes of this disaffection he declared it was difficult to state, but he expressed his belief that it arose principally from the intrigues of Tippoo's family and their adherents. He stated that a number of persons formerly in the Sultan's service, or their relations, were now serving in the native regiments, and that agents and friends of the family were employed all over the country in instigating discontent. That the Company's regiments had enlisted many of Tippoo's soldiers was well known, and that they and the Mohammedans generally were dissatisfied with the change of masters was highly probable, but there was no evidence of any agency set on foot by Tippoo's sons, and the discontent of the Hindn part of the army, much the most numerous, could scarcely be ascribable to intrigues in favour of a Mohammedan dynasty. The Snabhdar's information was merely individual belief, unsupported by evidence of facts.—MS Records, Lord W. Bentinck's Memorial, 103

BOOK I. any chief or princes out of the fort and, although some
 CHAP. II. of the mutineers talked vaguely of the support that was
 expected from one or two insignificant Poligars, yet
 1804. neither messenger nor letter had ever been interchanged,
 and no warrant had been given by them for such a
 misuse of their names. A conspiracy of the Mahratta
 princes was a mere shadow created by an alarm-
 ist imagination, or by a wish to shift the responsibility
 from the real cause—the military orders, to one who

desperation, originating simultaneously from similar apprehensions¹

BOOK I

CHAP. II

1806

At Wallajabad, again, a like disposition was discovered, arising from a like cause. The order for the new turban was issued early in June, and was received with expressions of dissatisfaction. These were silenced for a while by the trial and dismissal of one of the ring-leaders, but, at the end of July, reports of a design of the men to murder their European officers excited the alarm of the latter². The 1st battalion of the 23rd regiment of native infantry was marched out of the cantonments until the arrival of a party of dragoons from Arcot, when the corps was disarmed and all the native officers were put under arrest. The men submitted quietly to all that was required of them, and the investigation that took place showed that there had been great exaggeration in the tales which had inspired the panic, and although some of the native officers and a few men of bad character had been active in aggravating the irritation caused by the general order, yet the majority of the men were innocent of any intention to commit violence. The dismissal of the incendiaries, and the revocation of the offensive orders, restored tranquillity, and no further indications of disaffection were displayed.

It was not to be expected that a ferment so violent, and a catastrophe so dreadful, should at once have passed over and been forgotten, and, accordingly, some months elapsed before confidence and security were restored. The Sipahis were slow to credit the sincerity of the Government, and, still suspecting its having entertained sinister designs, attributed their frustration to the mutiny at Vellore, they therefore looked upon those who had fallen in the recapture of the fortress as martyrs for their faith, and in some places secretly solemnised their funeral

¹ Rumours the most extraordinary and incredible spread amongst the troops at this station, it was reported that the Europeans had a design to massacre the natives, that a hundred bodies without heads were lying on the banks of the Musa river, and that the Europeans had built a church which the heads of these decapitated trunks had been required to sanctify. There were other stories in circulation equally monstrous.

² Their discontent had been first manifested about the 24th July, in consequence of long drills and generally harsh or inconsiderate treatment. On one occasion after a drill from sunrise till seven they were kept in the barracks till twelve cleaning their arms and accoutrements. On being dismissed, some angry and menacing exclamations were uttered.

encounter adverse opinions with no other arguments than insurrection and murder. On the contrary, great latitude of belief and practice has always prevailed amongst them, and especially among the troops, in whose ranks will be found seceders of various denominations from the orthodox systems. It was not, therefore, the dissemination of Christian doctrines that excited the angry apprehensions of the Sipahis on the melancholy occasion which has called for these observations, nor does it appear that any unusual activity in the propagation of those doctrines was exercised by Christian missionaries at the period of its occurrence. It was not conversion which the troops dreaded, it was compulsion, it was not the reasoning or the persuasion of the missionary which they feared, but the arbitrary *interposition of authority*. They believed, of course erroneously, that the Government was about to compel them to become Christians, and they resisted compulsory conversion by violence and bloodshed¹. The lesson is one of great seriousness, and should never be lost sight of as long as the relative position of the British Government and its Indian subjects remains unaltered. It is not enough that the authority of the ruling power should never interpose in matters of religious belief, it should carefully avoid furnishing grounds of suspicion that it intends to interfere.

A subject of minor importance, but one that was agitated with no less vehemence, divided the chief civil and military functionaries at Madras, each endeavouring to get rid of the responsibility of having issued the obnoxious orders. Sir John Cradock urged in his defence

¹ The opinion that the Government had some such project in view was not confined to the Sipahis. Mir Alem, the veteran minister of the Nizam, and, as has been seen, the staunch friend of the English, expressed his surprise that the British Government should think it just or safe to compel the troops to wear the semblance of Christians, and a like astonishment was manifested by the ministers of Nagpur.—Letters from the Residents, MS Records. Of the universality of the feeling, there is also published an impartial testimony. Purnia, the Dewan of Mysore, gave it as his opinion that the Hindus were more alarmed and dissatisfied than the Mohammedans.—Lord W. Bentinck's Memorial 45. And Sir Thomas Munro writes "However strange it may appear to Europeans, I know that the general opinion of the most intelligent natives in this part of the country is, that it was intended to make the Sepoys Christians."—Letter to Lord W. Bentinck, 11th August, 1806. This letter also shows, that, in a part of the Peninsula where the adherents of the family of Hyder were most numerous, there were no reasons for believing that any intrigues had been at work in their favour.—Life of Sir T. Munro, I. 363.

proclamation, which, while it announced the determination of the authorities to enforce obedience, disclaimed all purpose of religious interference, but in the mean time information of a different tenor from the preceding having reached Sir J Cradock, he was led to believe that the dissatisfaction had subsided, and that the proclamation was unnecessary. It would have been, no doubt, of little avail, as it expressed the obstinacy of the authorities in persisting in the offensive innovation, but the inaccuracy of the intelligence which suspended its publication was presently afterwards demonstrated by actual occurrences, and a proclamation of a different purport was put forth. The reference of the Commander-in-chief, and the manner in which it was received, are decisive of the degree of responsibility which attaches to the local Government, and however injudicious may have been the conduct of Sir John Cradock in originating measures pregnant with such serious mischief, and however averse he may have been to acknowledge his error, the course pursued by Lord William Bentinck evinced an equal blindness to the consequences of the act, a still greater degree of inflexibility in its enforcement, and a similar ignorance and disregard of the feelings and prejudices of the native army. The spirit by which both functionaries were animated was the same—military absolutism,—a principle which, however just and necessary in the abstract, requires to be applied to practice with caution and judgment, and not without due consideration for the circumstances which may call for its exercise, the feelings which it may embitter, or the consequences which it may provoke.¹ Herein consisted the error of both Sir J Cradock and Lord W Bentinck, that they excluded every other view but that of military

¹ That the same unbending rigour of discipline which may be necessary in the management of European soldiers, is not needed, or is injurious as applied to natives, we have had the testimony of competent judges. One of the latest and not the least worthy of credit, says "We are apt to fall into the error of measuring everything according to the standard of European discipline, forgetting the different characters of the native and the Englishman. There is an Asiatic sensitiveness and propriety in the conduct of the Sepoy, which renders the roughness and severity with which we treat English soldiers offensive and unnecessary towards him"—*Relations of the British Government and Native States*, by J Sutherland, Captain 3rd Bombay Cavalry, p 10. It seems extraordinary, that, after so many years' experience, the character of the native army should be imperfectly understood, but recent events have shown that it is not even yet accurately appreciated by the Indian Government.

Oude — Nawab of Furruckabad — Zemindar of Sasnee and others — Proceedings interrupted by Dissolution of Parliament — Renewed by Lord Folkestone — Impeachment abandoned — Condemnatory Resolutions negatived — Merits of the Oude Question — Motion for an Inquiry into the Assumption of the Carnatic negatived — Censure of Lord Wellesley's Policy by the Court of Proprietors — Appointment of a Select Committee of the House of Commons — Diminished Import Trade of the Company

BOOK I.

CHAP. III.

1806

THE embarrassed state of the finances of the East India Company, attributed to the ambition and extravagance of Marquis Wellesley, and the countenance which he had shown to the extension of the private trade, and consequent encroachment on the Company's commercial privileges, had excited a strong feeling of hostility to that nobleman's administration in the Court of Directors, which awakened a corresponding sentiment in the majority of the proprietary body. Weakened in political influence by the secession of many of his adherents, disheartened by the gloomy aspect of affairs in Europe, and broken in physical strength, Mr Pitt was not inclined to support the measures of Lord Wellesley in opposition to the views which were entertained at the India House, and although he resisted, through the Board of Controul, the expression of the Court's disapprobation, yet he had consented to give it full effect by the appointment of Lord Cornwallis, a nobleman of different character and principles. The death of that nobleman threatened to frustrate the purposes of his nomination, but the zeal with which his intentions were carried out by Sir G. Barlow, upon his assuming the government, forcibly recommended to the Court his continuance as Governor-General. They were at first allowed to hope that their wish would be complied with, but they were speedily disappointed, under circumstances which, as involving questions of some importance, merit to be detailed.

Information of the death of Marquis Cornwallis arrived in England at the end of January, 1806, upon the eve of the total change of ministers which followed the demise of Mr Pitt. A proposal to pay a public tribute of respect to the memory of Lord Cornwallis was one of the last

BOOK I. temporary until there should be more leisure to give it
 that deliberation which its importance demanded. His
 letter however expressly stated that there was no intention
 of making any immediate change and the Court,
 naturally inferring that a much longer period than the
 ten days was contemplated, resented the suddenness of
 the alteration as indelicate towards themselves and un-
 fair and unjust towards Sir G. Barlow. Intended disre-
 put to the Court was of course disclaimed; and, in recognition
 of the admitted value of Sir G. Barlow's services, a reply
 was expressed that he would continue to be a member of
 the Supreme Council. The change of appointment was per-
 sisted in. It was evident that the first announcement of
 the purposes of the Ministry was premature and that
 either Lord Minto had acted without consulting his col-
 leagues or that, in the novel position of the party to
 which he was attached, they had not been fully aware of
 the value of the patronage or of the necessity of secur-
 ing by means of it, parliamentary support.

QUESTION OF PATR(

to preserve that good understanding, which was essential to the conduct of public affairs, yet they denied that they had thereby relinquished a chartered right "If," they enquired, "the removal of a high public functionary of India were to be combined with the appointment of a particular successor nominated by the King's Ministers, and the choice of the Court were confined to that person alone, then would not the absolute appointment to the important situations of Governor-General, or Governor of the subordinate Presidencies, devolve in fact upon the Crown?" The same arguments were repeated by Lord Melville. He affirmed, that it was alike the intention of the Legislature, and the sense of the public, in the act of 1784, that the Court of Directors should continue to exercise, without interference, the patronage of India, and that the clause which gave to the Crown the power of recalling could not be fairly construed as a transfer of the patronage, by enabling the Crown to negative appointments made by the Court and he appealed to the recollection of Lord Grenville to bear him out in his understanding of the spirit of the act, in conformity to which alone its provisions should be interpreted. In his reply to the Court Lord Minto confined himself to the question of right, admitting that of the Court to appoint, asserting that the Crown to recall. Lord Grenville's answer to Lord Melville was, that laws were to be understood as they were expressed, and not according to the fancies or feelings of individuals, that the same objections which were started had been made when the clause was enacted, that it could not be contended, that, because the Crown had the power of negating an appointment, it followed that the whole of the appointments in India fell under the controul of his Majesty's Ministers. He granted, that it could be shown that the power had been exercised in the present instance merely for the purpose of procuring the appointment of a person whom Ministers wished to serve, it would be a violation of the law, but, although he denied that the measure originated in favour to Lauderdale, he refused to assign any motives for the removal of Sir G Barlow. He also denied that his removal was founded upon any systematic exclusion of the Company's servants from places of the highest authority.

BOOK I

CHAP III

1806

the eyes of the world, and in the face of the most solemn treaties had been dispossessed of a territory which had a population of three millions of attached subjects, and yielded an annual revenue of nearly two millions sterling. Papers were also moved for, relating to the appointment of Mr Henry Wellesley as Commissioner for the affairs of Oude, which appointment, he not being a servant of the East India Company, was in defiance of an act of parliament and a violation of the law. No opposition was made to the production of the papers, and subsequently similar documents were granted relating to Lord Wellesley's treatment of the Raja of Bhurtpoor, the Nawab of Surat, and the Nawab of Furruckabad. The first charge was submitted to the House on the 23rd of April, 1806.

BOOK I.

CHAP. III.

1806

The tone of the preliminary proceedings sufficiently indicated their eventual result. The individual who had undertaken to establish the criminality of Lord Wellesley was ill qualified for the task, even if he had been provided with more tenable grounds for his accusations. The intemperance of his language was not redeemed by any powers of eloquence, or extenuated by the nature of his facts, and argued more of personal malignity than public spirit. ¹ He stood wholly unsupported in the House, even by the members of the Court of Directors who were present, and who in that character had concurred in the unqualified reprobation of many of those measures of the Governor-General which were now brought under Parliamentary investigation. ² He was opposed by both the political parties in the Commons, by one as participant of Lord Wellesley's measures, by the other on the principle that, although the system might be reprehensible, yet Parliamentary inquiry was neither necessary nor

¹ He accused in his charge with respect to Oude, Lord Wellesley and Mr H. Wellesley of committing murder, when speaking of the employment of a military force against the refractory Zemindars in the Ceded districts, and, on a subsequent occasion, he calls upon the House to consider the situation of India, from the accursed day when Marquis Wellesley set foot there, until the day of his departure, during which interval it exhibited a constant scene of rapine, oppression cruelty, and fraud which goaded the whole country into a state of revolt.—Hansard's Parl Debates, 23rd May and 6th July, 1806.

² Mr Thornton observed, that impeachment was a step much stronger than anything which he was prepared to think the conduct of Marquis Wellesley, improper as he esteemed it, could warrant him in adopting, and Mr Grant, although he certainly judged inquiry to be necessary, did not deem it advisable to proceed to impeachment.—Parl Debates.

the trespassing of private trade The improved and improving cotton manufactures of England were beginning to exercise a sensible effect upon the similar products of Indian industry, and the import value of Piece-goods, which had hitherto formed a main item in the commerce of the Company, had fallen during the last ten years to one-sixth of its amount at the commencement of the term—from nearly three millions sterling, to less than half a million¹

BOOK I
CHAP. II
1809

CHAPTER IV

Lord Minto Governor-General — Sir G Barlow, Governor of Fort St George — Character and Policy of the Governor-General — Determination to establish Order in Bundelkhand — Description of the Hilly district of the province — Colonel Martindell sent against Ajaygerh — Affairs of Rajaoh — Ajaygerh surrendered — Lukshman Dawa sets off to Calcutta,—leaves it again suddenly His Family put to Death by his Father-in-law — Operations against Gopal Sing — Nature of his Incursions — His Submission.— Storm of Kalinjar, — repulsed — Fortress surrendered — Treaties with the Raja of Rewa — Settlement of Hariana — The Sikh Chiefs east of the Setlej taken under Protection — Treaty with Ranjit Sing — Embassy to Peshawar — Revolutions of Afghanistan — Disastrous Life of Shah Shuja — Return of the Embassy — Mission to Sindh — Revolutions in the Government of that Country — Failure of Negotiation — Intercourse between France and Persia — Ill-concerted Measures of the British Authorities — Sir Harford Jones sent as Ambassador from England,—Sir John

¹ Imports, Piece goods	1798 9	1807 8
From Bengal	£1,219,828	260,262
Coast	- 1,560,470	136,177
Anjengo	193,202	36,381
	<u>£2,993,490</u>	<u>£432,820</u>

Report of Select Committee, No 1, printed by order of the House of Commons, 12th May, 1810

The trade in piece-goods was deemed of such importance at the renewal of the charter in 1793, that it was stated by the Committee of Correspondence, that without it the Company could not liquidate their political debts, still less furnish the means of participation to the public to the extent which was proposed —Resolution 8th, April 1st, 1793

BOOK I. into camp and professed submission. From motives which
 CHAP IV are unexplained, or from the instability of purpose which is
 1809 not unfrequent in the native mind, he seems to have
 speedily repented of his acquiescence, and, departing
 abruptly from the British encampment, he retired with a
 few followers to the thickets above the first range of hills.
 Sensible that direct resistance to the superior force of the
 supporters of Bakht Sing would be unavailing, he adopted
 a course of destructive irruptions; rushing down upon the
 plains and spreading terror and devastation in all direc-
 tions whenever an opportunity occurred, and, when pressed
 by his enemies, taking refuge amongst the entangled and
 rugged country between the first and second ranges of the
 mountains. Although his parties were frequently over-
 taken and dispersed, they immediately re-assembled and
 renewed their depredations and it became necessary to
 provide a permanent check upon their ravages. A canton-
 ment was therefore established at Tiroha, at the foot of
 the first range, a few miles to the north-east of Kalunjar,
 from whence detachments were sent occasionally to guard
 the passes the unhealthiness of the climate preventing
 the presence of a force above the ghats throughout the
 year. The marauding attacks of Gopal Sing were in some
 measure counteracted by these arrangements, but they
 continued at intervals to disturb the quiet and delay the
 pacific settlement of the country.

Towards the end of 1809 the concentration of the
 British force in Bundelkhand under Colonel Martindell,
 in a different quarter of the province, having drawn off
 the principal part of the troops opposed to Gopal Sing,
 the protection of the districts was left to the unaided
 resources of the Rajas of Panna and Kotra. They proved
 utterly inadequate to the duty. Their united contin-
 gents were defeated in an engagement with their more
 warlike adversary and the country below the hills laid
 open to his attacks were remorselessly devastated, until his
 progress was stopped by a detachment under Major Kelly
 which was sent from Colonel Martindell's camp at Chat-
 terpur. As the force advanced, Gopal retired above the
 third range of ghats in the vicinity of which the 1st
 battalion of the 16th native infantry commanded by
 Captain Wilson, was stationed to keep him in check,

while the rest of the detachment rejoined the main army

BOOK I
 CHAP. IV

1810

Gopal Sing, finding himself more than a match for the force which remained to oppose him, resumed offensive operations, and being assailed in a strongly stockaded position near Kakaiati in the Panna principality, by the detachment under Captain Wilson, repulsed the assailants after they had suffered considerable loss, and compelled them to fall back towards the plains¹. The junction of Major Delamain, with a squadron of the 2nd native cavalry, restored the superiority to the British, but Gopal, turning to the north amongst the hills, outstripped their pursuit, and coming suddenly down upon Tiioha, which was feebly guarded, he plundered and set fire to the cantonments, before troops, despatched from Ajaygerh as soon as the movement of Gopal Sing upon Tiioha was known, could arrive for its protection. Major Morgan, who commanded the detachment, followed the retreating enemy, but whilst Gopal Sing, at the head of his horse, manœuvred so as to engross his attention, the infantry marched unperceived again upon Tiioha, where they not only completed such part of the work of destruction as they had left unfinished, but laid the adjacent town in ashes, after having first made themselves masters of much valuable booty. The audacity of this enterprise enforced the adoption of more vigorous measures, and Colonel Brown was detached from Colonel Martindell's camp, with the 1st native cavalry and one squadron of the 8th, to command the troops engaged in this harassing warfare. A battalion of native infantry under Major Leslie was also added to the force, and Gopal, unable to encounter such an armament, and having been surprised and roughly handled by Colonel Brown at Bichaund near Ajaygerh, reascended the passes, and took shelter in an entrenched position at Jhargerh above the second range of ghats. Captain Wilson, with a squadron of native cavalry, the 1st battalion of the 16th native infantry, three companies of the 7th, and a company of pioneers, was sent forward

¹ On this occasion, Gopal Sing showed that he united humanity with courage and conduct. Several of the wounded Sipahis having fallen into his hands, he had their wounds dressed, and sent them back to rejoin the detachment.

BOOK I
CHAP. IV

1813.

tions, and engaging to pay the expenses of the military operations. He shortly afterwards abdicated in favour of his son.

During the suspension of hostilities with the Rewa Raja, a party of Sipahis escorting military stores, marching to join the main force, and proceeding in the confidence of the armistice which had then been agreed upon, were suddenly surrounded near the village of Sathani by a strong body of horse and foot, by whom some of the men were killed and the baggage was plundered. The Raja disclaimed all participation in this atrocity and it appeared to have been the unauthorized act of some of his feudatories, particularly the Raja of Sathani and Sarnaul Sing, Raja of Entouri. A force under Colonel Adams took the field immediately after the rains to punish the aggressors. The fort of Entouri was stormed and carried, after an obstinate resistance. Sarnaul Sing, disdaining to survive its capture, strewed a quantity of gunpowder upon a cloth, which he tied round his body and, setting fire to it, terminated his existence. Some other forts were taken and destroyed and the chiefs, alarmed, came into camp and submitted. A third treaty was then concluded with the Raja of Rewa by which, upon his renewing the stipulations previously contracted, he was placed in possession of some of the lands which the contumacious Zemindars had forfeited, with certain reservations, under strict promise that he would respect whatever guarantees the British Government had granted to any of his chiefs, and would refrain from molesting all such as had evinced towards it a friendly disposition. The Raja necessarily acquiesced, but the resentment felt by this petty court at an interference which it had provoked has perhaps scarcely yet given place to friendly feelings.

These operations put an end for a time to all serious manifestations of the turbulent spirit by which the Bundelas have been long distinguished. A different race, but of a congenial temperament, in another portion of the western frontier, required, about the same period, similar coercion.

At the termination of the war the extensive and fertile

See the three treaties of the 30th Oct. 1812, 2nd June, 1813, and 21st March, 1814, with the Rewa Raja, in the collection of treaties printed by order of Parliament, 27th May 1819; also in a collection printed for the Proprietors, Aug. 1814.—Administration of the Marquis of Hastings. The operations are related in the Calcutta Annual Register for 1811 p. 80.

but thinly peopled district of Haryana, lying immediately west of Delhi, had been taken within the range of British supremacy. The inhabitants of the province, who were of the Ját race, a resolute and high-spirited tribe, had some years before taken advantage of the enfeebled administration of affairs at Delhi to throw off the allegiance which they had previously professed to the Mogul. Collected together in village communities they formed so many petty republics acknowledging no head, and, although combining occasionally against a foreign enemy connected by no common tie of political interest or authority, and not unfrequently at deadly feud with each other. From time to time some Maratha or Mohammedan chieftain, or individual of their own body, established a military ascendancy over them to a limited extent, and for a brief interval, and, in one instance, George Thomas, an Irish adventurer,¹ rendered himself the lord over a part of the province, with Hansi, its chief town, for his capital. His reign was of short duration, but its overthrow was not effected by the discontent of his subjects or the rivalry of his equals, and it demanded the overwhelming force of Sindhia's disciplined brigades, commanded by General Perron, to dispossess him. Haryana was then governed by Perron in the name of Sindhia,

BOOK I
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¹ George Thomas arrived in India as a sailor about 1781. At Madras he deserted, and entered into the service of some of the southern Poligars, thence he made his way through the heart of India, and reached Delhi in 1787. He there received a commission in the brigade of Begum Sumroo, and rose to high favour, but, being supplanted in the Begum's good graces by some other adventurer, he quitted her service in 1792, and joined Apa Khando Rao, one of Sindhia's discarded captains, who was endeavouring to form an independent state in the country west of Delhi. He succeeded in his project, but, dying in 1797, his power fell to pieces, and George Thomas, thrown on his own resources, determined to conquer Haryana for himself. He succeeded so far as to make himself ruler of a petty principality, extending about 100 miles from N. to S. and in its broadest part about 75 miles from E. to W., comprehending 900 villages and several small towns. Hansi, which Thomas found in ruins, was restored and fortified by him, and, becoming his capital, was soon tenanted by between five and six thousand inhabitants. George Thomas was Raja of Hansi for four years, and had little to fear from any of his neighbours, until Sindhia's authority extended to Delhi, and introduced a power far superior to that of the European potentate. Thomas was besieged in Hansi by Dr Perron with a strong and well-organized force, and surrendered on condition of being conveyed to a British station. The stipulation was observed, and he was conducted to the British frontier in January 1802. He thence proceeded towards Calcutta, with the purpose of returning to his native land, but was taken ill, and died at Berhampore in August. His career is a striking illustration of the distracted state of a country in which a common sailor, with no other aid than European energy, personal strength, and intrepid resolution, could raise himself even to ephemeral sovereignty.—See Life of George Thomas, by Colonel Franklin

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uniformly left him at liberty to extend his power over the independent principalities and states north and west of the Punjab without any interposition or even remark.¹

The seasonable succour thus given to the petty Sikh chiefs between the Setlej and the Jumna² put an end to the vague character of the connexion which had hitherto united them with the British Government, and rendered it necessary to define the reciprocal relations which were thenceforward to subsist accordingly a general declaration was circulated to them, announcing that the territories of Sirhind and Multa had been taken under British protection that it was not the intention of the Government to demand tribute from the chiefs, but that they would be expected to furnish every facility in their power to the movements of British troops through their districts, and to join the British armies with their followers whenever called upon. The several chiefs were permitted to exercise, and were guaranteed, the rights and authorities which they possessed in their respective territories but supplies of European articles for troops, and horses for cavalry passing through them, were to be exempted from transit duties. The declaration conveying these provisions became the charter of rights to which the Sikh chiefs have been accustomed to refer for the settlement of all questions that have arisen between them and the British Government but the mutual relations of supremacy and subjection, appeals from the inferior to the superior in disputes amongst themselves or in domestic

¹ Travellers in Ranjit's territories complain, even to a late period, of obstructions to their proceedings thrown in their way by his subordinate functionaries and officers, and ascribe them to private instructions issued by the Raja, whilst ostensibly he gave them permission to go wherever they wished, and institute whatever inquiries they pleased. This might have been the case with some of the first visitors of the Punjab; but, latterly whatever impediments were experienced were most probably attributable to the ignorance or impertinence of the subordinates.—See the travels of Moorcroft, Jacques, &c., &c.

² The chief of these were Sahab Sing Raja of Patiala; Bheja Lal Sing, of Kythai; Jerrwant Sing, of Maha; Bhag Sing, of Jind; Gora-Dyal Sing, of Ludha; Jadh Sing, of Kalaska; Gopal Sing, of Manjehra; Daya Kaurer Rani of Amhala; Bhanga Sing, Raja of Thaneswar; Sedha Sing, of Mahawat; Javahir Sing of Bherap. The Patiala Raja had revenue of six lakhs of rupees, and forces of 2000 horse and 1000 foot. The revenues of the other chiefs varied from one to two lakhs, and their troops from 200 to 1000 horse. There were about twenty others of still inferior importance, but all claiming independent authority over their vassals; presenting in fact a state of things very similar to that of the early feudal anarchy of Europe.—*Mss. Record.*

Life of Ranjeet Singh, 71.

dissensions, and the imperative necessity of maintaining public order and security, speedily multiplied occasions of interposition, and, after no long interval, compelled the British Government to proclaim the right and the resolution to interpose¹ The regulation of successions was also a subject which from the first demanded the intervention of the protecting power,² and political expedience has dictated the enforcement of a principle recognised throughout the feudality of India, the appropriation of a subject territory in failure of lawful heirs by the paramount sovereign³

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CHAPTER IV

1803

There is no satisfactory proof that the Emperor Napoleon ever seriously contemplated the invasion of India In an early stage of his career, before his path to greatness was distinctly visible, he seems to have entertained some vague and wild dream of founding for himself an empire in the East⁴ The conquest of Egypt, in addition to the purpose of establishing a French colony in that country which should divert the stream of commerce between India and Europe from the Cape of Good Hope to the Straits of Bab-al-mandal, and thus annihilate one of the sources of British prosperity, had, according to Napoleon, for one of its objects, the formation of a basis from which to accomplish the invasion of India, but it is scarcely possible to believe that he could ever have gravely projected so impossible a scheme as that of sending sixty thousand troops upon camels across the deserts of Arabia, and barren

¹ A public proclamation declaratory of the right and determination to interfere between the different Rajas in all cases of disputed territory, and at the same time repeating the resolution not to interfere in the internal administration of justice between the chiefs and their subjects, was issued on the 11th August, 1811 — See Report of Select Committee, House of Commons 1832, Appendix Political, p 560

² In 1812, the Raja of Patiala, having rendered himself insupportable to his subjects by his insane oppression, was deposed in favour of his son, a minor, under the regency of the Rani, by the British Government The measure was obnoxious to some of the Raja's adherents, and one of them, an Akali, attacked the Agent, Colonel Ochterlony, in his palanquin, and severely wounded him — Life of Runjeet Sing, 76

³ Commonly to the exclusion of females, except in a few families where a contrary usage has prevailed Some of the chiefships have so lapsed, the principal of which are Ambala and Thanesar — Bengal and Agra Guide, 1841 vol ii. part 2, p 268 And, still more recently, Khytal — Calcutta Journals, April, 1843

⁴ According to his own assertion, if he had taken St Jean d Acre, he would have brought about a revolution in the East, would have reached Constantinople and the Indies, and changed the destinies of the world — Las Cases' Journal, i 206, Scott's Life of Napoleon ii 104, 111

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ceeding to the westward, raised a force with which he defeated the troops of the Amirs of Sindh, and compelled them to pay him a pecuniary contribution. He then advanced to Kandahar which he besieged. The Barakzi chiefs of that city having been joined by Dost Mohammed issued into the field, and an action took place which ended to the advantage of the Barakzis. The Shah might, however have recovered the supremacy as many of the principal leaders of the enemy were prepared to desert to him; but he retreated precipitately from the contest, and hastened back to his place of refuge, to be thence conducted once more to Afghanistan, under more propitious auspices than had ever smiled upon his former efforts,—the avowed co-operation of Ranjit Sing and the Government of British India. The auspices were deceptive. The powerful support upon which he relied crumbled beneath his feet, and left him helpless and alone amidst inexorable foes and treacherous friends. The end of his chequered career followed close upon his abandonment and the hand of an assassin terminated the life of a prince whose alliance the Government of India had once courted, whose expulsion from his dominions it had pitied, and whose distress it had relieved, and whom, as fatally for him as for itself it at last vainly engaged to replace upon his throne.

The country of Sindh constitutes the most western limit of India along the southern course of the Indus. It was conquered by the Mohammedans in the commencement of the eighth century and was retained as a dependency of Persia until its subjugation by Mahmud of Ghazni. Upon the downfall of his dynasty the Sammas, a race of chiefs of Arab extraction, established themselves as independent rulers of the country until they were dispossessed by the Sumas, who were Hindus, and who professed a nominal fealty to the Patan sovereigns of Delhi. In the reign of Akbar Sindh became more intimately attached to the Mogul empire but the government of the province was usually intrusted to native chiefs, whose degree of subordination was regulated by the ability of the court of Delhi to compel obedience. Towards the

Parliamentary Papers relative to Shah Shajah's expedition into Afghanistan, 1833-34; printed 28th March, 1835.

close of the seventeenth century, the Kaloras, a race of religious teachers who pretended to derive their origin from the Abasside Khalifs, and who converted their reputation for sanctity into an engine of worldly aggrandisement, had become possessed of extensive territory in Sindh, and usurped an ascendancy in its government, which was legalised in the reign of Mohammed Shah of Delhi by the appointment of Nur Mohammed Kalora as Subahdar of Tatta. The vicegerent of Sindh was speedily relieved from his dependance upon Delhi, but was compelled to pay tribute to the conqueror, Nadir Shah. The death of that prince dissolved the connexion with Persia, but the new sovereign of Afghanistan claimed the like supremacy over the country, and Sindh became, nominally at least, subject to Kabul. Although confirmed by Ahmed Shah, the son and successor of Nur Mohammed, Mohammed Murad Khan was deposed after a reign of a few years by his disaffected nobles, and his brother, Ghulam Shah Khan, was placed on the musnud in his room. After a turbulent and distracted reign, he was succeeded by his eldest son, Sirafras Khan,¹ who in a few years was deposed by the heads of the Baluch tribes, who had now acquired a leading influence in the affairs of Sindh, and whose enmity he had incurred by putting Bahram Khan, the chief of Talpura, and one of his sons, Sobhdar Khan, for some offence to death. The confederates first placed a younger brother of Sirafras Khan, and then a cousin, upon the throne, but, dissatisfied with their own choice, successively removed them, and seated Ghulam Nabi Shah, a brother of Ghulam Shah, on the musnud. Shortly after his accession, Bijar Khan Talpura, another son of Bahram Khan, returned to Sindh from Arabia, whither he had gone on pilgrimage, and undertook to revenge the death of his father. He was joined by his clan, and by their friends. Ghulam Nabi Khan immediately assembled his adherents, and a conflict ensued in which he was killed. Bijar Khan then marched against the capital, Hyderabad, where Abd-un-nabi Khan, the brother of the defeated sovereign, had fortified himself, and had put to death Sirafras Khan, who had been confined there, and, along with him, other princes whose pretensions he thought likely to interfere with his own. Bijar Khan, unable to

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¹ He founded the present capital, Hyderabad, in 1782

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Captain Pealey The letters were forwarded, but the messenger was detained at Shiraz until instructions should arrive from Tehran. After some delay they were received. The King, still clinging to the hope that the intercession of France would procure the restoration of some of his lost frontier—a hope in which he was strengthened by the assurances of a Russian agent, and the protestations of the French ambassador—chose rather to brave the resentment of his former allies than give umbrage to both France and Russia. Affecting, however an equal unwillingness to displease the British Government, he directed one of his sons, Hossain Ali Mirza, governor of the province, to carry on the negotiations with its representative at Shiraz. To this Sir John Malcolm strongly objected, as derogatory to the dignity of his Government. Believing from the private information he received that the French embassy had obtained too firm a footing at Tehran to be supplanted, and arguing that the connexion was a breach of existing engagements, and inimical to British interests, he abruptly sailed from Buahir and repaired at once to Calcutta, where his representations induced the Governor General to conclude that measures of intimidation or hostility were necessary and orders were issued for fitting out a military expedition, which should occupy the island of Kharak, and hold the command of the navigation of the Persian Gulf.

The first impression entertained by the Governor General, founded upon the envoy's despatches, was, that the proceedings of Sir John Malcolm had been somewhat precipitate, and that no sufficient cause had been assigned for the total abandonment of the objects of the embassy. He had therefore authorised Sir Harford Jones, in the event of his predecessor's withdrawal, to prosecute his voyage "without a moment's delay should the circumstances render in his judgment, such a step advisable, without further reference to Bengal. The information which he subsequently received induced Lord Minto to believe that a representative of the British power would not be admitted to the presence of the King of Persia, and that a repetition of the attempt to obtain an audience would be incompatible with the dignity of the Govern-

ment, while it would be productive of no advantage Sir Harford Jones was consequently instructed to await the result of further deliberations The countermand was too late Before it reached Bombay, Sir Harford Jones, acting in the spirit of his first instructions, had sailed for Persia He arrived at Bushir on the 14th of October The aspect of affairs had changed No progress had been made towards the restitution of any part of the Persian territory, and the court had begun to lose faith in the professions of the French In this feeling of disappointment, regret for having given offence to the British Government, and apprehension of the consequences of its displeasure, found easy access to the Persian cabinet, and the arrival of his Majesty's ambassador at Bushir was regarded as a fortunate means of escaping from its embarrassments Still, some reluctance seems to have been entertained to break so entirely with France as openly to sanction the advance of the mission to the capital, and, although an invitation to proceed to Shiraz was very soon forwarded, Sir Harford Jones consented to go thither upon no other security for his ultimate reception at Tehran than the assurances of a native agent that on his arrival there he would find the official invitation from the King and his ministers to continue his journey to the presence Upon this information, the envoy accompanied the Mih-mandar who was sent to conduct him to Shiraz, and arrived there on the 1st of January Some faint attempts to inveigle him into negotiations with the local authorities were easily baffled, and, all difficulties being surmounted,¹ the mission departed from Shiraz on the 12th of January Sir Harford Jones entered Tehran on the 14th of the following month, the French embassy having quitted the city on the preceding day During the stay of the mission

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¹ Malcolm ascribes this to "the anticipated failure of the French to fulfil their extravagant promises the alarm excited by the military preparations in India, and the cupidity of the Persian court, which had been strongly excited"—*Pol Hist.* i. 415 Sir Harford Jones states, that Lord Minto accused him of having found his way to Shiraz by corruption—*Account of the Mission to Persia*, i. 147 According to the Plenipotentiary's own account, the King's willingness to receive him was stimulated by exaggerated descriptions of a valuable diamond included amongst the presents intended for his Majesty, and of which he himself remarks, "I so managed, that, at the expense of £10,000 to the Company, the Shah of Persia considered he had received twenty or twenty-five thousand pounds from his Majesty's envoy"—*Account of the Mission*, i. 144

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been qualified or disposed to dissipate the prejudices which anticipated his presence. His manners were reserved and unconciliating a stranger at Madras, and of retiring habits, he gave his confidence too exclusively to the knot of civil and military functionaries by whom he was immediately surrounded his notions of the claims of the executive powers of Government to prompt and unquestioning obedience were lofty and uncompromising and in the stern exaction of acquiescence he undervalued apparently the necessity which every statesman ought to feel, of mutual accommodation and concession in the controversies and contentions of mankind, and was wanting in a liberal consideration for human feelings and infirmities. These defects were not counterbalanced, in the estimation of those whom he was set over by the acknowledged merits of his public character his conscientious sense of the importance of his duties, or his industry and ability in their discharge nor was time allowed for the due appreciation of the excellence which, under an unattractive deportment, distinguished his private life. The state of society also at Madras, and the sentiments which had for some time pervaded the Coast army had accumulated elements of discord which the slightest breath was sufficient to set in agitation dissensions and discontents accordingly immediately burst forth, and rendered the administration of the new Governor of Madras a season of unprecedented private misery and unexampled public peril and alarm.

The first occasion of offence occurred in the settlement of Madras, and followed closely upon Sir George Barlow's arrival. On assuming the reins of power, he found in progress an inquiry instituted by order of his predecessor into the conduct of a Mr Elphinstone, a civil servant of some standing, of a respectable character and a person much esteemed in society; who had held the office of superintendent of the public stores of rice laid in by the

person and character of Sir G. Barlow which may have been in some degree the unavoidable, but were certainly the unexpected, consequences of his strict and faithful discharge of ungracious and unpopular but sacred and essential duties, not sought or relished by himself, but cast by circumstances peculiar to the times on the period of his administration in Bengal. —Letter from Lord Minto to the Secret Committee, 4th Feb., 1810; Parl. Papers, 1st April 1811 p. 246.

Government of Madras, to be retailed in small quantities to the people, as a precaution against the recurrence of those famines which had frequently desolated the Presidency. Charges of fraud in this department were preferred against Mr Sherson, and a committee was appointed for their investigation. That abuses in an arrangement so liable to be abused seemed probable, but their nature and extent were undetermined, and the participation or cognizance of the principal unsubstantiated. His accounts submitted to the civil auditor were pronounced correct, yet, as they did not tally with the native accounts of the office, Mr Sherson, and Mr Smith the auditor, were both removed from their situations, and the former was suspended from the service pending the pleasure of the Court of Directors. An opinion generally prevailed that both these officers had been harshly, if not unjustly, dealt with, and Sir George Barlow incurred much obloquy from having precipitately believed representations asserted to be interested or malicious.

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That he too hastily adopted a decided opinion in the matter, and, in his intolerance of supposed official speculation, inflicted severe punishment before its justice was undeniably established, was shown by subsequent events. A prosecution was commenced in the Supreme Court of Madras against Mr Sherson, and after considerable delays, during which a change of Government had taken place, the cause came on for trial. Mr Sherson was acquitted, not only of legal, but, in the opinion of one of his Judges, of moral criminality¹. It was accordingly resolved by the Court of Directors, "that the severe measures adopted relative to Mr Sherson had been founded upon erroneous grounds," and he was restored by them to the service, with a pecuniary indemnification of 20,000 pagodas for his losses. The resolutions were confirmed in terms still more emphatic by the Court of Proprietors².

Animosities still more violent and extensive were engendered by the part which the Governor of Madras deemed it incumbent upon him to take in support of a

¹ Sir John Newbolt the other Judges were Sir Thomas Strange and Sir Francis Macnaghten.

² Report of Debate in the Court of Proprietors, 28th April and 5th May, 1815, by Mr Fraser, London, 1815. Report of Proceedings in the Supreme Court, Madras, 28th March, 1814, Honourable Company v Sherson and others.

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Besides the cause of discontent arising out of the subsidy which was common to the Raja and his counsellors, his Dewan or prime minister Vailu Tambi, had personal grounds for fear and resentment. Considering him to be the chief instigator of the Raja's backwardness in fulfilling his pecuniary engagements, the Resident had insisted upon his removal from his situation, and the appointment of a minister more submissive to British control. The Dewan professed himself willing to resign whenever a successor should be appointed but, under cover of his pretended acquiescence in the Resident's will, he set himself to work to organise an insurrection of the Nairs, the martial population of Malabar and to accomplish the murder of the Resident, whom he hated as the scourge of his country and his own avowed and inexorable foe. He prevailed upon the Dewan of the Raja of Cochin to join him in the plot and, giving encouragement to some French adventurers from the Isle of France, who had landed from an Arab vessel on the coast of Malabar spread abroad a report that a large French army was about to come to assist him to expel the English. He also wrote circular letters to the neighbouring Rajas to summon them to combine for the defence of their religion, which he affirmed the English designed to overthrow. His instigations were effectual arms were collected, and the people were prepared secretly for their use. The popular excitement became known to the Resident, and at his request reinforcements were ordered to Travancore. His Majesty's 18th regiment and two native battalions were directed to move from Malabar and his Majesty's 69th, and three battalions of native infantry with artillery were commanded to march from Trichinopoly to his succour.

Alarmed apparently by these precautionary measures, the Dewan professed his readiness to resign immediately if his personal safety were guaranteed, and arrangements were made for his private removal from Alepi to Calicut on the night of the 28th of December. On that same night, a body of armed men surrounded the house of the Resident. He had retired to rest, but was awakened by the indistinct noise of the approaching multitude and, going to the window to discover the cause, was fired at by the assailants. Before an entrance could be forced,

Colonel Macaulay, with a confidential servant, had time to hide themselves in a lower chamber, the door of which could not be easily distinguished from the exterior wall. The insurgents having broken into the house, sought for the object of their vengeance throughout the night in vain. At daybreak they beheld a vessel under British colours entering the port, and other ships were discernible at a little distance making for the harbour. They now thought only of their own retreat, and hastily quitted the premises, affording Colonel Macaulay an opportunity of making his escape and taking refuge on board the vessel, which proved to be a transport with part of the reinforcement from Malabar. The more important division from Trichinopoly had been countermanded, the Madras Government giving ready credence to the simulated submission of the Dewan. The news of the insurrection obliged them to repeat their first directions, and in the middle of January the Trichinopoly force commenced its advance under the command of the Honourable Colonel St. Leger.

Before he was joined by the principal reinforcements from Malabar, Colonel Chalmers, commanding the subsidiary troops cantoned at Quilon, had commenced offensive operations. On the 30th of December he learnt that great numbers of armed Nairs had collected at a residence belonging to the minister, at no great distance to the north of the cantonments, and that an equally numerous body had assembled at Parur, about ten miles to the south. His measures were promptly taken. Five companies of the 1st battalion of the 5th regiment of native infantry, with a field-piece, were detached to occupy a low hill commanding the Dewan's residence. They had scarcely reached the spot when they were attacked by the enemy in numbers greatly superior, but they maintained their ground during the night, and, being strengthened by the two flank companies of the 13th N. I. at day-break, they advanced against the Nairs, defeated them, and took possession of the house, with two brass and four iron guns, with which it had been converted into a temporary battery. Information being received that a body of the enemy above four thousand strong, were advancing along the coast from the north, the detachment commanded by Major Hamilton proceeded to meet them. They were

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BOOK I. by the death of the Dewan and the prosecution of a vindictive policy when the object of it had ceased to exist, was repugnant to the feelings of common humanity and the principles of a civilized Government. He further observed, that although ostensibly the act of the Raja, yet it would not be believed by the public that it had not the Resident's sanction, and did not originate in his advice and that had it been the Raja's act, with a view to impress upon the British Government the notion that he had not participated in the treachery of his minister yet a sentiment of just abhorrence of the measure itself, and a regard for the reputation of the British Government, should have induced the Resident to prevent the exposure, or if anticipated, to have publicly proclaimed his disapprobation.

The proceedings in Travancore were, in truth, among the least justifiable of the many questionable transactions by which the British power in India has been acquired or preserved. The protection of the Raja was, in the first instance, generous and politic the military command of his country subsequently was necessary for objects of British policy and was not incompatible with the pacific interests of the Raja and prosperity of his limited dominion. To impose upon him the maintenance of a force infinitely more numerous than was necessary for the defence of the country and the cost of which heavily taxed its resources to urge the exaction with unrelenting rigour; and to resent with unpitied vengeance the passions excited by a deep sense of national wrong among a semi-barbarous and demoralized race,—were unworthy of the character of the British nation for justice and generosity of the civilisation it had attained, and the religion it professed.

Notwithstanding the severities exercised upon the leaders of the late rising, and the submission which the irresistible superiority of the British arms had compelled, the spirit of disaffection after a while revived, and in less than two years, the new Dewan was suspected of being concerned in a plot directed against the British authority. He had also suffered the payment of the subsidy again to fall into arrear, and improvement in this respect was not to be expected from the increasing infirmities and im-

bealty of the Raja. Under these circumstances, the Government of Bengal considered itself empowered by the fifth article of the treaty of 1805 to assume the management of the country, but suspended the final adoption of the arrangement until it should become unavoidable. Its necessity became apparent at last even to the Raja, and the new Resident, Colonel John Munro, at his request and with the authority of the British Government, took upon himself the administration of the principality as the minister of the Raja, or Dewan.¹ The condition of Travancore unquestionably required the intervention of a stronger and wiser counsellor. The Raja was a cypher: the Dewan usurped the whole power, and employed it to defraud the prince and oppress the people. Inadequate as were the resources to the public exigencies, the country laboured under the severest fiscal exaction: justice there was none, and a general state of disorganisation prevailed. The judicious regulations introduced by Colonel Munro restored order, secured the administration of justice, and, whilst they liquidated the debt, and discharged the stipulated payments with punctuality, they more than doubled the revenues of the Raja, and in a still greater proportion lightened the burthens of his subjects.² The Raja died in 1812. He was succeeded by his sister, such being the order of inheritance among the Nairs of Travancore. Under the government of this lady, and the regency of her successor, Colonel Munro officiated as Dewan until the year 1814, when he restored the

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¹ We have Colonel Munro's own statement, that he accepted the office of Dewan at the request of the Raja. In answer to questions put to him, he states, "The treaty authorized the general interference of the British Government, but I assumed the charge of the administration at the express request of the Raja, with the authority of the British Government." And to the question, whether it was completely voluntary on the part of the Raja, he replies, "It was at the earnest request of the Raja.—Evidence of Colonel Munro. Select Committee of House of Commons, March, 1832. Hamilton therefore is wrong in stating that the arrangement took place under the Raja's successor.—Description of Hindostan, II. 317.

² Evidence above referred to: also Extracts from Colonel Munro's Report to the Madras Government in 1818, quoted by Mr Jones, App. Report of the Select Committee of the House of Commons, Political, 4to ed., p. 297. In three years, Colonel Munro, beside the current subsidy, "succeeded in paying eighteen lakhs of rupees due to the Company, and nearly six to individuals, in abolishing the most oppressive monopolies and taxes, and in settling the affairs of the country on the principles of justice and humanity." The land revenue was increased from nine to fifteen lakhs, the duty received from the tobacco monopoly, from five to eleven lakhs, and that on salt, from thirty thousand rupees, to two lakhs and thirty thousand; but, to the relief of the people, as many oppressive taxes and all illegal exactions were abolished.

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 CHAP V arrest on charges preferred against him by a number of
 1800 officers commanding native corps in consequence of
 which appeal direct to the Honourable the President in
 Council, Lieutenant-General Macdowall had received a
 positive order from the chief secretary to liberate Lieu-
 tenant-Colonel Munro from arrest and the order pro-
 ceeded to stigmatize the conduct of Colonel Munro as
 destructive of subordination, subversive of military dis-
 cipline, a violation of the sacred rights of the Commander
 in-Chief, and a most dangerous example to the service.
 General Macdowall therefore thought it incumbent on
 him in support of the dignity of the profession, and his
 own station and character to express his strong disap-
 probation of Colonel Munro's unexampled proceedings, and
 reprimanded him accordingly.

Thus far the Government of Madras had acted with a
 degree of calmness and forbearance which derived addi-
 tional lustre from the contrast which it offered to the
 violence of the Commander-in-Chief. Instead of inter-
 posing to heal the wounds which the needless sensitiv-
 eness of the officers had suffered from the incautious but
 indefinite language of an official report, and which a few
 words of explanation from the writer supported by their
 own good sense and the mediation of their common su-
 perior must have convinced them were more imaginary
 than real, General Macdowall echoed and aggravated their
 complaints, and, mixing up their grievances with his own,
 employed them as instruments with which to assail the
 Government in the person of one of its most meritorious
 and efficient servants. For the Government of Madras to
 have allowed Colonel Munro to fall a sacrifice to interested
 clamour or personal resentment on account of its own
 acts, would have forfeited for ever its claim to the respect
 of its subordinates. The opinions of Colonel Munro had
 been called for by those who were entitled to demand
 them, and so enjoined, it was his duty to state his honest
 convictions without reserve. These convictions were pro-
 nounced by the Commander-in-Chief of the day to be his
 own and the Madras Government, the Government of

Bengal, and the Court of Directors, all concurred in their justice and truth, and took them as the principles of their public acts. The responsibility of the subordinate ceased when the supreme power — one acknowledging no responsibility to its own servants — determined to identify his counsels with its own decrees, and its decrees would have been issued in vain, if the counsels which suggested them were to expose any one of its instruments to be degraded and punished by another. There can be no question, therefore, that the Government of Madras was bound to shield the Quarter-Master-General from the anger of the Commander-in-Chief, and that it was legally empowered so to interpose, was substantiated by the enforced submission of the latter. His threats of what he would have done if he had remained, were like the fast-retiring wave of the Madras surf wasting itself in impotent foam and fury upon the beach.

It happened, unfortunately for the character of the Madras Government, and the tranquillity of the settlement, that, departing from the calm assertion of its own powers, and the dignified attitude it had hitherto held, the Government precipitated itself into a career of recriminatory and vindictive acts. Instead of regarding the general order of the Commander-in-Chief as the idle ebullition of an angry spirit, the influence of which was neutralised by its own intemperance, instead of taking time to weigh deliberately the probable results of engaging in an angry contest, the Government instantly promulgated a public order¹ of scarcely less exceptionable phraseology, charging General Macdowall with having given utterance to insinuations grossly derogatory to the character of the Government, and subversive of military discipline and of the foundations of public authority, and with having on that and other recent occasions been guilty of violent and inflammatory proceedings, and of acts of outrage accusations not wholly borne out by facts, even if it had been decorous to proclaim them. Taking advantage also of the non-reception of General Macdowall's formal resignation, the order cancelled his appointment, and removed him from the station of Commander-in-Chief of the forces of Fort

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¹ The Commander-in-chief's order was not published till the 30th of Jan. The order of the Government is dated the 31st.

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About the same time with this manifestation of the growing sentiments of insubordination at Hyderabad, an overt act of mutiny was committed by the Company's European regiment quartered at Masulipatam. The officers of this corps had partaken in the general feelings, and had been further irritated by the indiscreet harshness with which their commanding officer had visited some imprudent expressions of those feelings in a moment of conviviality. The men were also out of humour at being occasionally drafted to serve as marines on board of the ships of war in the Bay of Bengal. A report was current amongst them that the whole corps was to be broken up in this manner and, when an order was issued for three companies to prepare for marine duty the men refused to obey and the officers placed their own colonel under arrest. The command was assumed by the next in rank a managing committee of officers was instituted, and a correspondence was opened by them with the Hyderabad and other mutinous divisions. Colonel Malcolm, who was at Madras, preparing to proceed on his mission to Persia, was despatched to Masulipatam to restore order and subordination he was treated with courtesy but returned to the Presidency without accomplishing the object of his mission, and strongly impressed with the persuasion that the revocation of the Government order would alone prevent a general and fatal insurrection.¹ In fact, on the 3rd of August, garrison orders directed the regiment to hold itself in readiness for field service a plan having been concerted for the junction of the troops from Masulipatam with those from Jaina and Hyderabad, and their united march to Madras, where they threatened to compel the restoration of the officers, and to depose Sir George Barlow from the post of Governor. Luckily for all concerned, these wild and criminal projects were arrested by the reasonable interposition of the Governor-General, and the return of the most violent and rash to a recollection of their duty.

The Government of Madras had thus, by unquestionable deficiencies in temper and discretion, brought matters to a

¹ *Parl. Papers*, May 1810, 2 B. p. 33, and 2 C. p. 1. Colonel Malcolm subsequently published "Observations on the Disturbances of the Madras Army in two parts; London, 1812.

position from which it was equally dangerous to advance or recede. Several of the most distinguished of its military servants counselled the rescission of the obnoxious orders, and the restoration of the suspended officers to the service¹. Such a concession might have moderated the violence of the tempest, but its efficacy in producing a continued calm was more than doubtful. It would have been an acknowledgment that the Government had acted with inconsiderateness and injustice, and possessed neither the strength nor the spirit to assert its legitimate rights, and it would have established a dangerous precedent, and encouraged, in time to come, those who felt or fancied a grievance, to resist the will of all future administrations, and seek redress by force and intimidation. There was an end of all civil government,—of all government,—if military combination was allowed to set aside constituted authority, if the army was suffered to dictate its own laws and choose its own officers, if the weapons, with which it was intrusted to defend the state against external aggression, were aimed against those functionaries who had been appointed to guide and govern in India the civil and military servants of the Company and subjects of the Crown. Justice demands that full weight should be given to these considerations in appreciating the conduct of Sir George Barlow at this crisis. His determination to uphold at every risk the rightful claims of the Government to the obedience of the army was defensible on the grounds of the responsibility, imposed upon him by his station, of preserving undisturbed the social relations of the civil and military power under his authority, of asserting the superiority of law over force, and of maintaining inviolate the principles of the constitution, which had been assigned to the various members of the Indian empire by the Legislature of Great Britain. Nor was the hazard of actual collision so imminent or so great as it seemed to be from the menacing attitude which a part of the army had assumed. It was but a part, and a considerable portion had not yet taken any share in their proceedings. The Commander-in-chief, and the great majority of those officers who were highest in rank and most

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¹ By Captain Sydenham, the Resident at Hyderabad, by Colonel Montresor, commanding the subsidiary force, and by Colonel Malcolm.—Parl. Papers

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ordinate and seditious spirit which the officers had displayed. The letter had been published at Madras, and circulated to the army but, notwithstanding its general tenor there was a calmness in its tone, and a reasonableness in its arguments, which opened a prospect of consideration as well as just decision. Whatever might be the sentence of the Governor-General, the sting of personality was removed and it was the functionary not the individual, who was expected to pronounce judgment.

It had been the purpose of Lord Minto to have sailed for Madras before the end of July but his departure was delayed by the assurance, which the Madras Government, with that singularly imperfect knowledge which it had on other occasions evinced of the real state of things, conveyed to him, that the agitation was rapidly subsiding, and that a fair prospect existed of the army's returning to a sense of duty. As soon as he ascertained that the information was incorrect, he embarked, and reached Madras on the 11th of September. All parties anxiously waited his fiat. It was not long delayed.¹ On the 25th of the same month a general order announced to the army the Governor-General's reprobation of their past conduct, and his resolution to inflict such punishment as might be commensurate with the offences committed. This determination was expressed in language designed and calculated to assuage all irritated feeling, and it was too evidently grounded upon the nature of the past transaction for its justice to be called into question. The necessity of vindicating the authority of the Government was based entirely upon abstract and incontrovertible principles, and the manner in which that vindication was to be exercised was qualified with the utmost possible leniency. The decision of the Governor-General was also distinguished by one remarkable peculiarity—the more remarkable from the contrast which it presented to the whole course of Sir George Barlow's proceedings,—the non-exercise of absolute power the abeyance of the right of the Governor

¹ Letter from the Supreme Government to the Governor in Council, Fort St. George, 37th May, 1809; *Parl. Papers*, May 1810, H. III.

² Letter from the Governor-General to the Secret Committee, 10th October 1809, par. 37 also *Minutes of Governor-General*, 14th July 1800; *Parl. Papers*, May, 1810, No. IV and MSS. Records.

³ *Parl. Papers*, May 1810, No. IV p. 14.

General to decree punishment of his own will and pleasure, and the reference of those who were charged with the highest degree of culpability to the judgment of their peers. A few only of the offenders were selected, such as officers in command of stations or of bodies of troops, commandants of corps, and individuals conspicuous for violent and forward behaviour. For the two first, courts-martial were ordered, to the others, the alternative was offered of investigation before the same tribunal, or dismissal from the service. The whole of the officers of the Hyderabad force were pardoned, in consideration of the important example which they had set of submission. Only three officers came under the first class, eighteen only under the latter, a general amnesty tranquillised the rest. The order wound up with expressions of affectionate solicitude for the character and welfare of the Coast army, which sunk deep into minds that had so long been used to the language of unbending sternness and unqualified reproof, and which now laboured under the humiliating consciousness that personal resentment, however provoked, was no excuse for a dereliction of the first principles of military duty,—obedience to constituted authority, and allegiance to the state.

Shortly after the promulgation of this order, the trials commenced. Lieutenant-Colonel John Bell, the commandant of the garrison of Seringapatam, was charged with joining, and with heading, the mutiny of the troops. The defence set up was, that he had consented to take the command only to prevent excesses, that he exercised no real authority in the fort, that he had signed the test without hesitation himself, and that it was through his influence the officers also finally signed it, and that the garrison finally surrendered the fort in a peaceable manner. He was pronounced guilty, and sentenced to be cashiered. A like charge and sentence characterised the trial of Major Storey, who had consented to hold the command at Masulipatam, upon the arrest, by his brother-officers, of Colonel Innes, their common superior. A similar defence was offered, and the prisoner was recommended to the mercy of the Commander-in-chief. In both cases, the sentences were held to be too lenient, and were sent back for revision, but they were adhered to.

the Dutch Islands — Expedition against the Moluccas. — Capture of Amboyna, — of Banda, — and of Ternate. — Expedition against Java, — accompanied by Lord Minto — Difficulties of the Voyage — overcome. — Former Operations. — Destruction of Dutch Vessels at Gresik — Measures of General Daendels and of his Successor General Janneke. — Arrival of the Fleet in the Roads of Batavia. — Landing of the Troops. — Occupation of Batavia. — Advance to Weltevreden. — Strength of Fort Corneille. — Assault. — March of Colonel Gillespie's Column, — Surprise of the Outwork, — Defences Forced. — Explosion of a Redoubt, — the Fort taken, — the Pursuit and Dispersion of the Enemy — Churbon and Nadura occupied. — Final Defeat of General Janneke. — Surrender of Java and its Dependencies. — Mr Raffles appointed Governor — Colonel Gillespie Commander of the Forces. — Capture of Yodhyakarta. — Expedition against Palembang — Sultan deposed. — Views of the Court of Directors. — Beneficial Results of the British Administration in Java.

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NO events of any great political importance took place on the continent of India, the occurrence of which was likely to aggravate the anxiety experienced by the British Government from the dissensions that prevailed at Madras but, during the same period, various occasions of minor moment had arisen for the exercise of its interference and the manifestation of its power. Of this character were the proceedings consequent upon the conduct of Amir Khan, of whom mention has been made in our preceding pages, and who provoked at this time the hostility of the Government of Bengal. Left without control by the insanity of Holkar, and keeping together a numerous body of troops, for the payment of which he possessed no means of his own, Amir Khan, after exhausting the resources of the Rajput princes, was compelled to look abroad for plunder and enlarge the field of his depredations. The Raja of Berar was selected as the victim of his necessities.

In the commencement of his political career Jeswant Rao Holkar had been detained for some time as a prisoner at Nagpore, and according to his own assertions, was pil-

laged by the Raja of jewels of very great value Amir Khan now demanded, in the name of Holkar, the restitution of the jewels¹ or their price, and, as the demand was not complied with, he moved, in January 1809, to the frontiers of Berar with all his force, swelled to a large amount by the accession of the predatory, or Pindari bands,² who had long spread terror through the dominions of the Bhonsla Raja by their daring and devastating incursions. No serious opposition was offered to Amir Khan's advance: he crossed the Nerbudda and proceeded to Jubbulpore, a considerable city of Berar, of which and of the surrounding country he took possession.

Although not bound by the terms of the existing treaty to give military aid to the Raja of Nagpore against his enemies, yet the aggression of Amir Khan was considered by the Bengal Government to demand its vigorous interposition. There were grounds for suspecting that his movements were not unconnected with the discontent of the Subahdar of Hyderabad, and although the assertions of his envoys at Nagpore, that their master had been induced to invade the country by the invitation of the Nizam, who had offered to defray the cost of a still more formidable armament, might not be deserving of implicit credit, yet the known sympathies of the parties rendered such a league between them far from improbable. The interests of the British power were therefore implicated with those of the Raja of Berar. "The question was not," as Lord Minto observed, "whether it was just and expedient to aid the Raja in the defence and recovery of his dominions, although in point of policy the essential change in the political state of India which would be occasioned by the extinction of one of the substantive powers of the Dekhin might warrant and require our interference, but whether an enterprising and ambitious Mussulman chief, at the head of a numerous army, irresistible by any power except that of the Company, should be permitted to establish his authority on the ruins of the Raja's dominions, over territories contiguous to those of the

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¹ MS. Records. Amir Khan mentions the manner in which Holkar became possessed of these jewels, but states that they were sold, and the produce was expended in raising troops, when he was seized by the Bhonsla Raja. — *Life*, p. 91.

² He states his force at 40,000 horse and 24,000 Pindaris.

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by a well-disposed and commercial people. The inhabitants of the latter or western shore, thinly scattered from Cape Musendom through a distance of nearly four hundred miles, had, from a remote period, been so notorious for piratical habits, as to have secured for their territory the denomination of the Pirate coast. Among these tribes the Joannis were distinguished by their audacity and cruelty. They had recently embraced the reformation which Abd-ul-wahab had some years before introduced into Mohammedanism, and united to the fierceness of their lawless trade the ferocity of fanaticism. Profession of the faith of Islam, or instant death, was the fate of their captives. Their vessels, known as *daos* or *bugalas*, varying from one hundred and fifty to three hundred and fifty tons burthen, and carrying from one hundred and fifty to two hundred men, were clumsily built, with a single mast, and mounted but a few guns. Singly they were little formidable but they usually sailed together in small fleets, from which a merchant-vessel was rarely able to extricate herself. For a considerable period they refrained from molesting English ships. The Company's armed vessels were instructed to exercise similar forbearance, and to confine themselves to repelling aggression. Emboldened by this policy and impelled by their religious ardour the Joannis departed from the caution they had hitherto preserved, and no longer paid any respect to the British flag. In 1808, the *Sylph*, a small ship of only one hundred tons, having on board the native Persian secretary of Sir Harford Jones, was attacked and captured in sight of the *Nereide* frigate by which she was retaken, and the pirate vessels were sunk. In the next year the *Minerva*, a large merchant-ship, fell in with a fleet of *daos*, and, after a running fight of two days, was carried by boarding. The resistance and loss they had suffered had so exasperated the pirates, that every male Christian on board was murdered. It was no longer possible to permit the perpetration of such outrages and it was determined to seek the Joannis in their chief port, Ras-al-Khaima, inflict upon them a deserved punishment for their past crimes, and impair if not annihilate, the means of future mischief.¹

Account of the Wahabîs, by Sir Harford Jones, p. 211; *Travels in Arabia*,

The expedition consisted of two of his Majesty's frigates, the *Chiffonne* and *Clorinde*, and six of the Company's armed vessels, in which nine hundred European soldiers and five hundred Sipahis were embarked. The flotilla was commanded by Captain Wainwright of the *Chiffonne*, the land division by Lieutenant-Colonel Smith, of his Majesty's 65th. The armament left Bombay on the 4th September. Off Cape Musendom, it fell in with a fleet of twenty-seven daos: one was sunk, the others were dispersed. The force then proceeded to Muscat, the Imam of which, equally hostile to the Joasms as pirates and as Wahabis, gave prompt assistance to the objects of the expedition. The squadron arrived off Ras-al-Khaima on the 12th of November. Notwithstanding its designation of Ras or head-land, the town was found to be situated on a low sandy peninsula, nearly a mile in length. The neck of the isthmus was defended by a wall, and the sea-face by batteries and entrenchments. It was also secure from the near approach of vessels of war by the shallowness of the water.

In consequence of this difficulty, the bombardment of the town was impracticable, and it was determined to carry it by assault. By a skilful disposition, the landing of the troops on the neck of the isthmus was effected at daybreak on the 13th of November, and, in spite of a vigorous resistance, the wall was escalated. Guns were then brought up, and, under the cover of their fire, the troops penetrated into the town. All the principal houses, as usual in Asiatic cities, were flat-roofed, and from their roofs, and loop-holes in their walls, a murderous fire of matchlocks checked for a while the progress of the assailants. Their perseverance, however, triumphed: the town was abandoned by its surviving defenders, and by two o'clock Ras-al-Khaima was in the possession of the British. Although the place was filled with valuable merchandize, the spoil of piratical expeditions, no plunder was per-

by Lieutenant Wellsted of the Indian navy, i 243. Both mention that the prisoners, not Mohammedans, were brought singly to the gangway, where one of the pirates cut their throats, with the exclamation, Allah Akbar! God is great! According to Lieutenant Wellsted, the name, properly Johasms, was derived from Johasm, a Mohammedan saint, who had pitched his tent on the promontory where their chief port was built, hence called Ras al-Khaima, the Cape of Tents, i 256.

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of parsimonious prodigality in which even the pecuniary saving bore no ratio to the pecuniary loss as the value of the captured ships, and the charges of their convoy and equipments, far outbalanced in the end the cost which, in the beginning, would have been incurred by the conquest of the colonies. The views of the home administration at this period underwent a change, and the Government of Bengal, and the chief naval officers in the Eastern seas, were authorized to adopt arrangements of a more enterprising description. It was at first proposed to attempt nothing more than a rigorous blockade of the Isle of France and Bourbon, by the squadron at the Cape of Good Hope, under Admiral Bertie but, as this was impracticable, as long as the blockading ships depended upon the distant settlements of the Cape or of Bombay for their supplies, it was determined to occupy the small island of Rodriguez, lying about one hundred leagues east of the Isle of France, and establish upon it magazines, with stores and provisions, for the refitting and re-equipping of the blockading squadron. A small force of two hundred Europeans, and an equal number of natives, commanded by Lieutenant-Colonel Keating, was despatched from Bombay under convoy of his Majesty's ship *Belliqueux*, Commodore Byng. They arrived off the island on the 4th of August, and found upon it only three Frenchmen engaged in growing vegetables for the use of the larger islands. Rodriguez was about fifteen miles long, from east to west and seven from north to south. Wood and water were plentiful, and various vegetables were raised. The stores were landed, and additional supplies were sent for and Colonel Keating adopted all necessary precautions in order to strengthen himself in his position. The captures made in 1809 and 1810, however showed that, whatever benefits might ultimately result from the occupation of Rodriguez, it was not followed by that of an effectual blockade of the French islands. French frigates had continued to sail from their ports, and returned to them with splendid and valuable trophies of victory.

Although the position thus taken up proved inadequate

to the entire prevention of maritime depredation, yet it had the advantage of enabling the English men of war to remain more steadily and continuously in those seas, cramping the enemy's operations, occasioning frequent distress in the islands for want of supplies, and affording a salient point from which to harass and annoy them by occasional demonstrations or actual inroads. With this purpose, as well as to determine how far ulterior and more definite measures were practicable, the forces at Rodriguez, both military and naval, were strengthened, and in September, 1809, an expedition proceeded from Rodriguez to the Isle de Bourbon.

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A body of four hundred European and native troops were embarked in his Majesty's ships *Nereide* and *Otter*, and the Company's cruiser *Wasp*. Off Port Louis, in the Isle of France, they were joined by his Majesty's ships, the *Raisonné*, *Commodore Rowley*, and the *Sirius*, Captain Pym. The whole proceeded to Bourbon, off the eastern extremity of which they arrived on the morning of the 20th of September. In the evening, a detachment, raised to six hundred men, by the addition of seamen and marines, was disembarked to the southward of Point de Galotte, about seven miles from St. Paul, the chief town on the western side of the island. The disembarkation was unperceived by the enemy, and the troops had marched, and were in possession of two of the principal batteries on the east of the town, commanding the shipping, before their approach was apprehended. On the advance of a column to storm a third battery, they came upon the garrison, now collected, and reinforced by a hundred men of the troops of the line, serving on board the frigate *La Caroline*, then lying in the bay with her prizes. The position of the enemy was strong, and was supported by eight pieces of artillery. Their defence was resolute, and it was not until the main body of the assailants was concentrated, that they gave way. By half-past eight, the whole of the batteries, and the town and magazines, were in the hands of the English, and, the escape of the ships being prevented by the squadron, they were obliged to surrender. The French ships taken were the *Caroline* frigate, of forty-six guns, and some small trading vessels, but, besides a gun-brig, and some

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The only British ship of war now left of the blockading squadron was the *Bodicea* and Commodore Rowley was unable to prevent the blockade of the Isle de Bourbon, which was established by the French frigates, *Astree* and *Iphigenia*, who intercepted several of the transports arriving with troops and stores for the destined expedition against the Isle of France. On the 12th of September however the *Africaine* frigate, Captain Corbett, arrived from England and Commodore Rowley thus reinforced, immediately put to sea. The French frigates fled, and the English gave chase. The *Bodicea* being a heavy sailer the French vessels soon shot far ahead, followed closely by the *Africaine*. Captain Corbett, apprehending the escape of the enemy brought them to action, whilst the *Bodicea* was five miles astern. The wind died away the *Africaine* was overpowered the captain was killed, and the senior lieutenant was obliged to strike his colours. The balance of strength again turned in favour of the French but the *Bodicea*, being joined by the *Otter* sloop and *Staunch* gun-brig, continued the chase. The enemy's frigates were little inclined to renew the contest and, having taken out such of her crew as were unhurt, they abandoned the *Africaine* in a crippled condition. Rowley returned with her to St. Paul on the 18th of September.

Commodore Rowley had not been many hours at anchor when three sail appeared in the offing, two of which had suffered in their masts and rigging. He immediately made sail in pursuit of them, attended by the *Otter* and *Staunch*. The vessel that appeared not to be disabled had another ship in tow which she cast off, to save herself by flight. The third, having no top-masts, bore up to assist her consort, but was soon obliged to strike to the superior force of the *Bodicea* whilst the crippled vessel yielded at once to the *Otter*. The former proved to be the French frigate *Venus* the latter the *Ceylon*, an armed Indiaman

25th November 1810. Some gasconading was excusable on such an occasion, but in the main the account is candid and temperate. The loss of the French is probably undervalued at four officers and thirty-three men killed, and one hundred and twelve wounded; the latter included M. Du Perre, the captain of the *Bellone*. In the *Mérida* alone, one hundred and sixteen were killed, and many of the wounded died on board. Captain Willoughby was wounded, but recovered with the loss of an eye.

from Madras, which had been captured that morning, after a smart engagement, by the *Venus* and the *Victor* corvette, the vessel that had escaped. The resolute resistance made by the *Ceylon*, and the damage she had inflicted upon the *Venus*, were the main causes of her own recovery, and of the capture of the *Venus*. On board the *Ceylon* was Major-General Abercrombie, who commanded the expedition now on its way from India.

The struggle thus far honourably maintained by the French was now soon to terminate, and an effort proportioned to the object was about to put an end to their maritime depredations in the seas of India. Shortly after the action last noticed, or early in October, Vice-Admiral Bertie in the *Nisus* frigate arrived from the Cape of Good Hope in the bay of St Paul. Great exertions had been made to refit and equip the vessels which had been captured, and eleven days after the Vice-Admiral's arrival he was able to put to sea with the *Boadicea*, *Nisus*, *Africaine*, *Venus*, now named the *Nereide*, and the *Ceylon*, well manned and supplied. With this squadron he proceeded to Port Louis, off which he arrived on the 19th October. Finding that of the enemy's vessels lying in the harbour, not more than two were ready for sea, he left the *Boadicea*, *Nisus*, and *Nereide*, to maintain the blockade, and resumed his voyage to Rodriguez, to join the expedition which had been directed to rendezvous at that island. On his way he fell in with the squadron from India under Rear-Admiral Drury, proceeding to the same destination, and in company with them arrived at Rodriguez on the 3rd of November. The division from Bombay was already present, and that from Madras made its appearance three days afterwards. It was not until the 21st October that the armament from Bengal arrived. As the season was far advanced, and the period was approaching when the winds in these latitudes become variable, and violent hurricanes occur, the commander of the expedition considered it of the utmost importance that no further time should be lost, and accordingly preparations had been made for the embarkation of the troops that had previously arrived, and for the supply of the vessels from Bengal with such stores as they might require without their dropping anchor. As soon as this operation was effected, the whole

BOOK I A valuable booty rewarded the intrepidity and conduct
 CHAP VI which had so brilliantly achieved a valuable acquisition
 without suffering any loss.

1810

At the same time, Ternate was taken by Captain Tucker with a detachment of Europeans, the seamen and marines of the *Dover* and some of the newly enlisted *Amboyna* corps. Captain Tucker arrived off the island on the 25th August but light and baffling winds kept him off the shore, and a landing was not practicable before the 26th. A hundred and seventy men were landed in the night with intent to surprise the forts and batteries which guarded the bay. The difficulties of the approach frustrated the scheme, and the men were re-embarked. Early in the morning they were again put on shore; and, whilst the frigate engrossed the attention of the enemy they proceeded unobserved to an eminence supposed to command the Fort of Kayomaira, the principal Dutch post. They arrived on the hill at noon but to their great vexation they found that the fort was screened from their view by an intervening forest. They then endeavoured to proceed by an inland route, but, after incessant exertion throughout the day it was found impossible to disencumber the path of the immense trees which had been cut down and piled across it. Turning to the right, they followed the course of a rivulet which led to the beach, and brought them about ten o'clock within eight hundred yards of the fort before they were discovered. Disregarding a smart fire of grape and musketry they rushed forward, scaled the walls, and carried the fort. On the following morning the combined operations of the detachment and frigate overpowered the other defences of the bay and by the evening the town and island were surrendered. Few casualties impaired the exultation of the victors. Their conquest completed the reduction of the Moluccas, and Java with its dependencies alone remained in the possession of the Dutch.

Prior to the Departure of Lord Minto for Madras, the practicability of the subjugation of Java had been brought under his consideration by Mr Raffles, originally a member of the Penang Government, but who had attracted

the notice of the Governor-General by his acquaintance with the languages, and political circumstances of the tribes of the Archipelago, and had been in consequence appointed the Governor-General's agent at Malacca. After Lord Minto's return to Bengal, the subject was resumed. Mr. Raffles came round to Calcutta for the sake of its more commodious investigation, and his statements so entirely satisfied the Governor-General of the feasibility of the measure, that he determined to undertake it upon his own responsibility. Its execution was, however, deferred until the result of the expedition against the French islands should be known, and in the interval the design received the prospective sanction of the authorities in England. No time was lost in preparing for the expedition. The King's regiments, which had returned to Madras¹ from the Mauritius, were immediately re-embarked, with the addition of the 78th regiment of foot and a portion of the 22nd dragoons, whilst in Bengal his Majesty's 59th, four battalions of Sipahi volunteers, the 20th, or marine regiment, details of pioneers, and artillery, horse and foot, with the Governor-General's body-guard, were assembled under the command of Colonel Wood. The command of the whole was vested in Sir Samuel Auchmuty, the Commander-in-chief at Madras. The Bengal troops sailed early in March, and reached the appointed rendezvous at Malacca by the end of April. Lord Minto accompanied them in the *Modeste* frigate, in the capacity, as he expressed himself, of a volunteer. The Madras force sailed in two divisions: the first, under Lieutenant-Colonel Gillespie, on the 18th of April, and the second, under Lieutenant-Colonel Gibbs, on the 29th. At the same time Sir Samuel Auchmuty embarked in the *Akbar* frigate, and Commodore Broughton commanding the fleet sailed in the *Illustrious*. It was fortunate that their departure had not been delayed, for on the 3rd of May a tremendous hurricane set in at Madras, in which a great number of vessels, including the *Dover* frigate, were driven ashore and lost. The fleet had reached the outer edge of the vortex, and felt but little of the violence of the storm. The whole of the expedition was collected at Malacca by the 1st of June, but this was

¹ The 14th, 69th, and 89th: the Madras pioneers were also re-embarked.

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path; and when, towards morning, the head of the column had approached near to the works, information was brought to Colonel Gillespie that the rear division had fallen behind. A short halt was ordered but as it was impossible to remain unobserved after daybreak, and a retreat in the presence of the enemy might hazard the success of the expedition, Colonel Gillespie determined to make the assault at once, trusting that the strayed column would be guided aright by the firing, and would be in time to support him before he was seriously engaged.

The morning dawn showed the enemy's videttes at hand, and the column was challenged. The men, as commanded, reserving their fire, rushed forward with the bayonet and the picquets were destroyed, and the advanced redoubt was carried as soon as the alarm was given. At the same moment, the grenadiers of the 78th, under a heavy fire from the enemy earned the bridge over the Slokan, a slight structure which might with ease have been demolished. As soon as the passage was effected, Colonel Gillespie, turning to the left, stormed a second redoubt which was within the lines and notwithstanding the superior numbers of the enemy and a spirited resistance, which caused the loss of many brave officers and men, carried it at the point of the bayonet. Each of these redoubts mounted twenty eighteen-pounders, besides several twenty-four and thirty two-pounders.

The division of Colonel Gibbs having, as was anticipated, been guided to the scene of action by the cannonade, had hastened on to take their share in the conflict and, having crossed the Slokan, the grenadiers of the 14th, 59th, and 69th regiments moved against a redoubt on the right, which they stormed, and carried with the bayonet in the most gallant manner. They had scarcely gained possession, when the powder magazine, attached to it, exploded with a stunning sound, and scattered piecemeal the mutilated limbs of both defenders and assailants. This awful occurrence was followed by a momentary pause; but the batteries of the enemy soon opened again upon the attacking column. The assailants had, however now

It was said to have been purposely fired by some of the enemy's officers who perished in the explosion. No advantage accrued to the enemy from the catastrophe.

gained a firm footing within the lines, and proceeded with renewed spirit to storm the remaining redoubts to their right and left

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In the meantime an active cannonade had been maintained on the front, where the enemy had erroneously expected the main attack would have been made, and under this persuasion had refrained from reinforcing their troops on the right. The column directed to the rear was unable to cross the river, as the bridge was burnt, and obliged to remain contented with firing upon the enemy from the opposite bank. The detachment under Lieutenant-Colonel Macleod carried the redoubt against which they had been sent, but, unfortunately, with the loss of their commander. The success of the assault on the right, however, soon opened a free access to the entrenchment, and the British entered Cornelis in every direction.

When most of the redoubts had been stormed, and daylight rendered objects distinct, the enemy's reserve, composed of several battalions, with twenty pieces of horse artillery, besides heavy guns, and a large body of cavalry, was seen drawn up on the plains in front of the barracks and lesser fort of Cornelis, the guns of which commanded the approach. The duty of dispersing these was consigned to the 59th, and was gallantly effected by that corps, who not only drove them from their position, but captured the fort. The dragoons and horse artillery then coming up, Colonel Gillespie placed himself at their head, and pursued the fugitives for ten miles, cutting off great numbers, and completing the disorganization of their army. Those who sought refuge in the thickets, were killed or dispersed by the 14th regiment and detachments of the Bengal volunteers. The efforts of their officers to keep them together as far as Beutenzorg, where entrenchments had been thrown up, and a second stand was to have been made, entirely failed, and the fate of Java was decided. Six thousand prisoners were taken, mostly European troops, including a regiment of voltigeurs recently arrived from France. The loss of the enemy in killed and wounded was likewise very considerable. The victory was not won without loss also to the assailants. In the previous operations, and in the assault of Cornelis, the

BOOK I. possessions and by a convention with the United Nether-
 CHAP VI. lands, dated 13th of August, 1814, engaged to restore all
 1815. the colonies, with exception of the Cape of Good Hope
 and some places in the West India. Java was consequently among the cessions. The more pressing calls at home upon the attention of the Batavian Government, delayed its availing itself immediately of the generosity of its ally and Java did not reassume the character of a Dutch colony until the end of 1816, five years after it had been conquered by the armament from Bengal. Sir T Raffles was spared the pain of resigning his power to the Dutch commissioners, by the appointment of Mr Fendall, of the Bengal service to the government of Java in the beginning of the same year

CHAPTER VII.

Return of the Governor-General from Java. — Internal Administration. — Indications of future Hostilities. — Relations with Hyderabad and Nagpore. — Misgovernment of Oude. — Interference of the Government of Bengal. Differences between the Nawab and the Resident. — The latter supported by Lord Minto — Defects in the Judicial and Revenue Systems of the British Government. — Mohammedan and latter Hindu Systems. — Concentration of Functions. — Judicial officers. — Circumstances counteracting defective Administration. — State of Civil and Criminal Justice. — Consequences of establishing Civil Courts. — Multiplication of Suits. — Arrears of Decisions. — no Effective Remedy applied. — State of Criminal Jurisdiction. — Similar Arrears. — State of Police. — Classes of Robbers. — Prevalence of Dakouti, or Gang Robbery —

Some measures of the administration of Mr Raffles had been disapproved of by the Court of Directors, particularly his alienation of the public domains in order to raise funds, in place of re-issuing greatly depreciated paper currency under an emergent demand for money and the inexpediency of drawing on Bengal. Charges implicating his integrity had also been preferred against him; which, although acknowledged in most unqualified terms by the Court to be utterly unfounded, seems to have produced a bias unfavorable to him in the mind of Lord Minto, and to have had some influence in his supersession. His provisional appointment, by Lord Minto, to be Resident at Benccoolen was confirmed, and he repaired thither after his visit to England, where he received the honour of knighthood in the end of 1817 — *Life*, p. 280.

*College of Fort William.—Financial Operations.—
Close of Lord Minto's Administration.*

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THE Governor-General returned from Java to Calcutta towards the end of 1811 and the remaining period of his administration was occupied with the resumption and prosecution of measures affecting the welfare of British India in its amicable relations with the neighbouring states and its allies, and in the promotion of its internal prosperity.

The peace of India remained undisturbed but various indications occurred of an approaching necessity for departing from the pacific principles which had generally regulated the policy of the Government. On the north, the Court of Nepal had asserted claims to territory within the Company's boundaries which were questioned or denied and had instigated, or allowed its subjects to commit, encroachments and outrages which demanded serious notice. In the south, the style assumed by the officers of the King of Burma in their intercourse with the English functionaries at Chittagong, arising out of insurrections in the intermediate province of Aracan, lately conquered by the Burmese, revealed an arrogant and usurping spirit which it would probably require force to repress. On the western frontier the banditti known as Pindaris, were becoming daily more confident and daring and in 1812 a party of them violated the integrity of the British dominions, broke through the boundaries, and advanced to the wealthy commercial city of Mirzapore, which they threatened to plunder. The approach of troops saved it from destruction, and the Pindaris retired. To prevent the repetition of a similar irruption, treaties were formed with the Rajas of Tehri and Rewa,¹ by which they were bound to close the passes in their several principalities against the Pindari incursions, and a cordon of troops was stationed along the frontier from Bundelkhand to Midnapore. At the same time that these precautions were taken, it was foreseen that they would be mere palliatives and a time was contemplated when

¹ Treaty with Raja Bhimsenjit of Tehri, 22d December, 1812. The treaties with the Rewa Rajas have been previously referred to.—Treaties with Native Chiefs, xix.

it would be necessary to undertake a system of military and political operations calculated to strike at the root of this great and increasing evil.¹ The period was not long deferred but the arrangements adopted belong to a different administration. The same was the case with the course that was ultimately pursued with respect to Nepaul and Burma, and we may therefore suspend their consideration until the power of the British Government was exerted to place its rights beyond dispute, to secure its confines from aggression, and to eradicate the predatory pestilence which had so long preyed upon the strength, and wasted the energies, of Central India.

The subsidiary alliance with Hyderabad had undergone no material alteration since the interference of the Government of Bengal in the appointment of a minister. The Nizam, discontented and sullen, took little concern in public business, and sought consolation for wounded pride in sensual indulgence. His minister, Munir-al-Mulk, equally indolent and incapable, followed his sovereign's example, and all the labour, but with it much of the authority, devolved upon the Hindu subordinate, Chandu Lal. Strong also in the assured support of the Resident, the Dewan made but an indifferent use of his responsibility, and to his own purposes and emolument sacrificed the interests of the prince and the prosperity of the people. At the recommendation of the Resident, Chandu Lal consented to the reorganisation of the military contingent which the Nizam was bound by treaty to furnish, and, instead of a body of irregulars, to maintain a standing disciplined force under British officers. This was gradually increased to above twelve thousand men, horse and foot, and proved itself of eminent service in the subsequent war. Its chief value in the estimation of the minister was the weight which it gave him in his dealings with the Court, and the coercive means it enabled him to employ against refractory landholders, and farmers of the revenue, on occasions when the aid of the subsidiary brigades was withheld. The sanction of the Government was given to the arrangement. A similar plan was recommended to the Peshwa, and he

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¹ Secret Letter from Bengal, 2nd October, 1812, Papers, Pindari War, p. 14

The interference which was thus exercised by the Government of Bengal in the internal regulation of the affairs of Oude, was grounded upon the article of the treaty of 1801, in which the Nawab "engaged to establish in his reserved dominions such a system of administration, to be carried into effect by his own officers, as should be conducive to the prosperity of his subjects, and calculated to secure the lives and property of the inhabitants, and that his Excellency would always advise with, and act in conformity to, the counsel of the officers of the Honourable Company" The explanation subsequently given by Lord Wellesley to the Nawab of the principles which were to regulate the intercourse between the two states amplified the expressions of this article, and whilst it declared that the Resident was to be the representative of the Governor-General, and the channel by which the sentiments and counsels of the British Government were to be communicated, enjoined that functionary to treat the Nawab with the utmost degree of respect, conciliation, and attention, and to maintain cordial union and harmony in all transactions

How was this to be accomplished when the sentiments of the Nawab differed from those of the Resident? what security was provided for the acquiescence of the former in the counsels of the latter? who was to determine whether the counsels of the British Government and of its representative were really calculated to promote the interests of the prince and his people? and by what means compliance was to be enforced consistently with the degree of independence which the Nawab was allowed to retain? were questions which the vague and indefinite phraseology of both treaty and explanation left for the embarrassment of Lord Wellesley's successors

On the present occasion, all these sources of perplexity occurred. Professing himself willing and desirous to defer to the advice of the British Government, the Nawab entertained insuperable and not unreasonable objections to the propositions submitted to him. It was recommended to him to take as a model, the arrangements introduced into the Ceded provinces with, it was affirmed, entire success, to relinquish the practice of farming the revenues, to institute an inquiry into the productiveness

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of the lands and, upon a determination of their value, to settle with the proprietors a moderate rate of assessment for a period of three years. To these recommendations the Nawab at first gave his assent but he started doubts as to the practicability of their execution, the delays and difficulties which would attend the valuation of the lands, and the impossibility of finding functionaries qualified and fit to form settlements with the landholders. On the other hand, the Resident, Major Baillie, sanguine in his expectations of success, treated the Nawab's doubts as evasive, and, instead of observing the conciliatory course prescribed by Lord Wellesley pressed the reform with a degree of positiveness and importunity which furnished the Nawab with a fresh cause of alarm, and led him to apprehend that the Resident's objects were to take into his own hands the nomination of the revenue officers and an inquisitorial scrutiny into his revenues. Each charged the other with a virtual infraction of the treaty the Resident accusing the Nawab of disregarding the advice of the British Government, and the Nawab complaining that he was not permitted to judge what measures were conducive to the prosperity of his people, or carry them into effect through the agency of his own servants. There were several other sources of disagreement, arising chiefly out of the advocacy by the Resident of the rights and claims of the members of the Nawab's family or of individuals taken under his especial protection, in opposition to the wishes of the Nawab. In most of these cases the conduct of the Resident might be defended, either by existing or implied engagements with the British Government but it necessarily reminded the Nawab of the unreality of the independence with which Lord Wellesley had pretended to invest him in all matters of a private and domestic nature.

After much lengthy correspondence and various personal conferences, in which the Nawab under the operation of fluctuating feelings repeatedly promised acquiescence, and as often evaded the fulfilment of his promises, the Government of Bengal, then administered by General Hewitt as Vice-President during Lord Minto's absence at Java, determined to refrain from urging the question of reform further. They argued that it would be of little

avail to enforce the Nawab's adoption of a plan, the execution of which he could easily, and would most certainly, frustrate, that his objections to any particular scheme of reform could not be construed into a systematic disregard of the counsels of the British Government, for which, on the contrary, he professed the utmost deference, and that, consequently, to have recourse to the only method of compulsion which could be contemplated, that of denying him the services of the subsidiary force for the suppression of insubordination and resistance to his authority, would be an unjustifiable departure from the conditions of the alliance. Whilst expressing, therefore, extreme dissatisfaction with the Nawab for the insincerity and prevarication which he had displayed, the Resident was instructed to relinquish for the time all further efforts to obtain his consent to the proposed reform.¹ With regard to the employment of British troops against refractory Zemindars at the requisition of the Nawab's collectors, the Government confirmed a resolution to which they had previously come, of not allowing their employment without an investigation by the Resident of the occasion which demanded it.

The question of reform remained unagitated during part of 1812, but causes of disagreement were not wanting. In the commencement of the year, an application was made by the Nawab for troops to put down an insurrection, but the Resident, ascertaining that the disturbance was of no importance, and was connected, as usual, with the exactions of the farmers of the revenues, insisted on the prior investigation of the merits of the case, or the deputation of his own agents for the purpose. The Nawab declined compliance, and no troops were sent. Shortly afterwards, some of the Nawab's proceedings encroaching on the rights of the Bhao Begum of Fyzabad, the widow of his father, were opposed to the Resident, as these rights had been guaranteed by treaty. This interference in his domestic concerns was a source of severe mortification to

¹ Letter from the Bengal Government to the Court of Directors, 15th October, 1811, in which the negotiations with the Nawab are detailed. Report Select Committee, 1832, Political Appendix, 414. The correspondence between the Nawab, the Resident, and the Government are printed also in the "Oude Papers," printed for the proprietors of East India Stock, June, 1824.

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the Nawab, and he strenuously denied the right of the Resident to interpose. Towards the close of the same year the Government of Bengal had its attention called to outrages and robberies committed on the British frontiers by marauding gangs from Oude, whom the Nawab's officers were either unable or unwilling to restrain. As this evil had been the frequent topic of unavailing representation, it was now announced to the Nawab that the plunderers would be pursued into his country by the British troops without his permission if his acquiescence were withheld. All these sources of vexation produced a formal complaint of the Nawab against the Resident for insolent and arrogant behaviour—the charge was met by the Resident's denial, and a recriminatory accusation of an improper want of respect to the British representative in the tone and style of the Nawab's correspondence. The Government pronounced their entire approbation of the Resident's conduct, and required the Nawab to adopt a more deferential style of address.

These proceedings for a while intimidated the Nawab into professing his resolution to conform to the wishes of the Government in all things—but the imperfect execution of his promise drew from Lord Minto,¹ in July 1813, an address of remonstrance and expostulation, reminding him that the British Government had a right, founded upon the basis of the subsidiary treaty to propose such reforms in his internal government as it deemed essential, and that he was held by the same treaty under an obligation to follow such advice—that he had admitted the necessity and both verbally and in writing had given assurances of his acquiescence in a manner little less authentic and formal than if they had been reduced to the form of a treaty and equally binding on his honour and good faith—notwithstanding which, he had retracted his consent, and opposed the most determined resistance to the efforts made by the Resident, acting under the positive orders of the Government, to induce him to abide by the terms of his engagements. Lord Minto declared also, that, upon receiving the Nawab's acquiescence, the British Government would have been entitled, and was

¹ Letter from the Governor-General to the Nawab Vizir 2nd July 1813; Oude Papers, p. 202.

perhaps required, to insist on his carrying the proposed plan into effect at once; and instances the patience and respect with which his objections had been listened to and refuted, as undeniable proofs of its forbearance and moderation. Not a single argument against the plan had been adduced, but had been respectfully entertained, deliberately examined, and successfully combated, and the doubts and fears still professed by the Nawab could be ascribed to no other motives than a decided resolution to oppose the introduction of reform altogether, in the vain hope that the Government would ultimately abandon the question in despair. The Nawab was assured that no lapse of time, no change of circumstances, would ever induce the British Government to relinquish a measure which it considered essential to the happiness and prosperity of Oude, the ease and reputation of the Nawab, and the best interests of both states. He was also warned, that, if he persisted in his refusal, he would violate an express stipulation of the treaty, and he was requested seriously to consider the consequences in which he might involve himself by such a course of conduct. Lord Minto therefore expressed his confident expectation that the reform recommended would be carried into effect without further opposition or delay. The Governor-General explained his views upon the other points under discussion in a like peremptory strain.

Fortified with the decision of the Government, the Resident proceeded to insist upon the Nawab's immediate adoption of the measures proposed, and, in his ardour and impatience, demanded for the British Government a degree of participation in the ordinary administration of Oude scarcely warranted by the spirit or letter of the existing engagements, when he maintained that every act whatsoever—the lease of a district in farm, the institution of a court of justice in the capital, the change of any police regulation,—without the previous concurrence of the Governor-General, was a direct violation of the treaty, for which the Nawab might be made responsible, or, in other words, might be divested of all authority whenever it pleased the Government to call him to account. That such minute and vexatious interference was intended by the original contract, may be reasonably questioned, but

BOOK I.
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BOOK I. the present discussions showed the extreme difficulty of
 CHAP. VII. defining the just limits of interposition, and the unavoidable
 1812. tendency of all such political associations to render the will of the controuling power the sole standard of the necessity of its interference. The Nawab became alarmed, and, in the month of September he announced his final determination to give immediate operation to the project of reform, by despatching officers to adjust an equitable assessment and he instituted arrangements for affording satisfaction on the minor topics of dispute. Before any important results could be realized from these preliminary measures, the Government of India passed into other hands, and different views influenced the counsels of Lord Mordaunt.

Although the countries which had been brought under British sway had derived from it the benefits of exemption from foreign invasion and internal disorder for some years, yet the progressive amelioration of the condition of the people had failed to keep pace with the expectations and hopes of their rulers. This was and is still to be ascribed to radical defects in the systems of judicature and revenue which had been introduced and which, although they were based upon just and benevolent principles, were too entirely of a European complexion to be readily identifiable with the very different aspects of society which existed in Hindustan. They had been framed upon insufficient inquiry and had been brought in abruptly without having been suffered to grow up gradually and spontaneously with the continuance of the new and anomalous constitution of things to which they owed their origin. They were still only in the course of adaptation to circumstances and it was, and has since continued to be, the anxious object of both the local and home authorities to provide a remedy for those defects which their development displays. The subject has been already treated of at some length but as the observations made in a former volume were in some degree anticipatory and the facts on which they were founded belong to the period

¹ In 1812 the Court of Directors circulated queries regarding the working of the Judicial system in India, to several of their most distinguished servants then in England. The questions and replies are printed in the Selections from the Records at the East India House printed by order of the Court, vol. II.

now under review, as also they were restricted to the Bengal provinces, some further notice of them here may not be superfluous or out of place

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Whatever may have been the case when the Moham-
medan and Hindu governments were in full vigour, it
was undeniable that, for a considerable time before the
establishment of British supremacy, the people of India
had been unaccustomed to any regularly organised and
administered system of law or justice. In Upper India,
Mohammedan domination had left few and obscure traces
of Hindu institutions, and those which they had sub-
stituted, never very pure or perfect, had almost equally
disappeared in the anarchy by which Hindustan had long
been distracted. The same was very much the case with
the territories under the Madras Presidency that had been
subject to the Mohammedans, and, if Hindu usages
lingered in the Mahratta states, they had lost much of
their primary character amid the irregular and arbitrary
practices of the ruling authorities. The main principle
that everywhere regulated the administration was the
concentration of absolute authority, and the same indi-
vidual was charged with the superintendence of revenue,
justice, and police, with little to guide or restrain him
except his own perceptions and sentiments of equity, and
a prudent consideration for his own safety and advantage.
Even in the best of times the sovereign, whether King or
Raja, was the fountain of law and justice, and the Subah-
dar, the Nawab, the Jagirdar, all holding delegated or
usurped authority, claimed the same prerogative. The
Kazi, or Nyayadhipati, Mohammedan and Hindu ex-
pounders of the law, were sometimes retained in principal
towns as judges of civil and criminal law, but their autho-
rity was ill defined, their labours were ill paid, and justice
received little profit from their nomination. The police
of cities was also in some places under the authority of
an appointed officer, the Fojdar or Kotwal, who was
responsible to the governor of the district or city, but
in the villages and in the country, the village head-men,
or Patéls, where such existed, and in other parts the
Zemindar, who combined the character of landholder and
collector of the revenue, claimed the charge of the police,
and the decision of civil and criminal suits. The leading

BOOK I. object of the native governments was the realisation of
 CHAP VII. the largest possible amount of revenue and all persons
 1812. engaged in this duty whether as fiscal officers or as
 farmers and contractors, were armed with plenary powers
 both as magistrates and judges a pertinacious appeal
 from those whom they oppressed might sometimes reach
 the ears of their superiors, but in general this resource
 was imperfectly available, and the people were left to the
 uncontrolled will of individuals.¹

Incompatible as such a state of things must be with the feelings and principles of Europeans, its effects upon the condition of the inhabitants of India were not wholly subversive of their happiness. The persons placed over them belonged to themselves, were assimilated in religion and language, conversant with their usages, and not regardless of their good opinion. Their decisions, although not guided by a code of laws, were founded upon an accurate knowledge of persons and things and, when not

All the Bengal civilians concur in stating, that, according to their belief no remains of ancient institutions existed in Bengal. Of the state of law and justice among the people, the following are some of the results of their observations. The people had no idea of being protected by law against abuses of power. When an Amal (a native revenue or executive officer) was guilty of gross injustice and oppression, they might endeavour to get rid of him by clamorous remonstrance in body to the authority to which he was accountable for his conduct; but, generally speaking they were quite at his mercy. Probably they had no conception of more safe and rational system until they saw the effects of the judicial regulations of 1793. The spirit of the old institutions of Hindostan survived their formal abolition as long as the Company's servants retained the offices of collector, judge, and magistrate. — *Ernst, Records*, p. 37. During the Mohammedan government, in Bengal, the large Zemindaris, consisting of several pergunnas, it was usual to have pergunna Outchies (courts), and the Tahsildar (collector) of the pergunna, who was the Zemindar's agent, decided in civil suits; village Gomasthas (agents) also exercised the same authority and revenue was frequently paid to arbitration by their orders. The Zemindars and their Dewans also decided civil suits according to the ancient Hindu custom. In cities and large towns and in each pergunna, Kazi were appointed, who decided in civil suits. They appear to have been the judicial officers on the part of the Kairats, but the Zemindars never gave up their right of deciding in civil suits. — *Cox, Ibid.* p. 47. Every province in India is divided into small tracts called villages: the affairs of every village are managed by two head-men, the Potail and the Carman; the Potail is the chief of the village and acts in it as judge, magistrate, and collector. — *Munro, Ibid.* 108. The authorities by whom civil justice was administered were the following: in the country, the Potail; over him the Mamthadar (district collector), and Saranahdar (head of large division); and above all, the Peshwa, or his minister. Jagirdars administered justice to their own lands; the great ones with Hindu or no interference on the part of the Government. In some towns, there was judicial officer called the Nyaydham (the same as Nyaydhipati, superintendent of Nyaya.—justice), who tried cases under the Peshwa's authority and any person whom the Peshwa pleased to authorize might conduct an investigation, subject to his highness's confirmation. — *Kiplingstone's Report on the Mahratta Provinces; Selections from the Records*, iv p. 188.

distorted by sinister influences, were commonly conformable to equity and good-sense. The proceedings of these self-constituted courts were simple, and their sentences summary, they were not embarrassed or retarded by complicated forms and technical pleadings, and they escaped the tax upon their money and time, which more elaborate judicature imposes. Another advantage contributed to counteract the defects of the system. In the absence of courts of justice provided by the state, the people learned to abstain from litigation, and, when disputes among them arose, submitted them to the arbitrement of judges chosen among themselves.¹ This expedient had probably descended from ancient times, in which it had been a recognised element of Hindu judiciary administration under the denomination of Pancháyat,² but it had fallen into desuetude in most parts of India, and subsisted, in any degree of efficiency, only in the south.³ Although the Panchayats were not inaccessible to personal bias or corruption, and their proceedings were occasionally irregular and tedious, yet they were suited to the circumstances and congenial to the feelings of the people, and supplied the place of better organised and more solemn tribunals.⁴

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¹ "With all these defects, the Mahratta country flourished, and the people seem to have been exempt from some of the evils which exist under our more perfect government: there must, therefore, have been some advantages in the system to counterbalance its obvious defects, and most of them appear to me to have originated in one fact, that the Government, although it did little to obtain justice for the people, left them the means of procuring it for themselves."—Elphinstone, *Selections*, iv 194

² From the Sanscrit word *pancha*, or *puncha*, *πεντε*, *quinque*, five the court being originally, perhaps, formed of that number, but in common practice it was exceeded. Mr Elphinstone says, "The number was never less than five, but it has been known to be as great as fifty."—Elphinstone, *Selections*, 189

³ Sir Henry Strachey says, "I do not recollect any remains of ancient Hindú institutions, not even the Panchayet, but, the term being well known in Bengal, it is probable that the thing exists in some parts of the Bengal provinces, and that it is occasionally resorted to voluntarily by the Hindus in disputes concerning caste, and perhaps in matters of village accounts and boundary disputes. I remember no instance of parties in a suit proposing a reference to the Panchayet. Our civil courts never discourage any kind of arbitration, they constantly recommend it to the parties, who will never agree to it."—*Answers*, *Selections*, p 53. All the Bengal civilians state the same. Mr J A Grant, of Bombay, says of the Panchayats on that side of India, "They direct their attention chiefly, I believe, to matters of discipline and ceremonial observance, connected with the customs and usages of their several sects. They exercise no judicial authority."—*Selections*, ii 192.

⁴ It was especially in the Mahratta provinces that "the Panchayet might be considered as the great instrument in the administration of justice.—Elphinstone. Mr Elphinstone, Colonel Munro, and Colonel Walker speak favourably of their operation, although, from the details specified, they seem to have

BOOK I. Upon the establishment of regular courts of justice
 CHAP VII under the government of the East India Company the
 1813. novelty of a channel exclusively dedicated to the hearing
 and determining of complaints, and a belief that they
 would be investigated in an upright and impartial spirit,
 produced inconveniences which had not been foreseen.
 Every one who had, or fancied he had, a wrong to redress,
 resorted to the court and the numbers of the suitors
 speedily became so numerous, that the means of hearing
 and adjudicating their cases were wholly insufficient. The
 jurisdiction of each court comprehended an extent of country
 and an amount of population vastly beyond the powers of a
 single establishment. The very qualities which constituted
 the peculiar recommendations of the new courts added to
 their insufficiency. As little as possible was left to in-
 dividual discretion. Deliberate forms and prescribed
 modes of procedure, whilst they secured exactness, im-
 peded despatch. Reference to the regulations of the
 Government, and to the written authorities of Hindu and
 Mohammedan law retarded decision and the multiplica-
 tion of opportunities of appeal from one tribunal to
 another encouraged and perpetuated litigation. The un-
 avoidable deficiencies of laws which, whether Hindn, Mo-

been clumsy instruments. The members were selected by the parties, and were not uninfluenced by the hope of presents from one or both the affid-
 ants of the members was very irregular and there seems to have been no
 efficient means of compelling punctuality; it was generally affected by the
 intrigues of the parties interested. Proceedings were seldom recorded. In
 villages the Panchayat was often conducted in the way of conversation, and
 nothing was written but the decision, and not always that. "Throughout
 the whole proceedings the Panchayats appear to have been guided by their
 own notions of justice; they consulted no books, and it was only on particular
 points of Hindu law that they referred to *Sastri* (one learned in the law) for
 his opinion. The Panchayat had no power to enforce its decrees; they required
 to be confirmed and executed by an officer of Government, to whom for this
 cause frequent references were required, and he exercised considerable influ-
 ence on the progress of the trial." Notwithstanding these imperfections, the
 Panchayat must have exercised beneficial influence, as it enjoyed great popu-
 larity; as is proved by the current phrase, *Panch Parameeswara*, Panchayat
 is God Almighty.—*Elphinstone's Selections*, iv. 191.

In 1797 the number of suits instituted was 230,877 although the western
 provinces had not been acquired they began to decrease from 1803 and in
 1813 were only 184,790.—*Selections from the Records*, iv. 34.

In the Bengal Presidency the population subject to Zilla court was gene-
 rally about million. The Zilla of Muzaffpore was one hundred and thirty
 miles long by forty to fifty broad.—*See Henry Strachey and others. At Madras*
the Zillas were more compact, and generally contained about half million
inhabitants.—Cockburn. The Ceded districts, at first divided into three,
shook into two, Zillas, contain about twenty-nine thousand square miles,—about
the extent of Scotland, but more populous. —Thackeray; Abstract to Queries.
Selections.

hammedan, or English, were devised for wholly different conditions of society, and had not yet become adapted to the changes still in progress, with the unfitness of some of the European judges, from their imperfect knowledge of the languages of the country and the habits of the people,¹ as well as their ignorance of the principles of law and their occasional negligence, contributed to aggravate the defects of the system, and to obstruct the course of judgment. Arrears became in consequence so numerous, and decisions were so long delayed, as to amount to a virtual denial of justice. Attempts were made from time to time to remedy these imperfections. Charges and fees were imposed, in order to render justice more expensive and discourage litigation; additional courts were established, at a cost which became burthensome to the state; additional powers were given to the judges, and the privilege of appeal was subject to new limitations, — measures in some respects exceptionable, and in all inoperative, and the accumulation of arrears, although to a less extent, still continued to constitute a serious evil.² To the most obvious remedy, the multiplication of courts and judicial functionaries in an equally progressive ratio, was opposed the heavy expense of adding to the number of European magistrates.³ Any considerable augmentation of native judges, who were employed to a limited extent, and whose services were much more economical, was resisted by a violent prejudice against their agency. Their fitness for the office, as far as it required ability and knowledge, was generally admitted, but it was maintained that their notorious want of integrity rendered it impossible that justice could be distributed to the people through so corrupt and impure a channel.⁴ The imputation was not

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¹ "There is a want of something like professional knowledge, that is, knowledge of the general principles of law, in both the Zilla and provincial judges, and part of the persons in the judicial line are not fit for that part of the service. —Dorin, Selections

² The suits depending in Bengal at the end of 1802 were 170,706, at the end of 1813, 145,163 for the clearance of which it was estimated that three years would be required in the Zillah, and four in the provincial courts — Commons' Committee, 1832, Judicial, Appendix, vii 479

³ The annual expense of the judicial establishment in Bengal was calculated by Lord Cornwallis at 306,000/. In 1809-10 it had risen to 806,000/. The whole cost at the three Presidencies was at that time 1,260,840. In 1813 it was 1,572,492

⁴ "I think it quite out of the question to trust the natives with any principal part in the administration of justice. I am not aware that they want the

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perhaps wholly unmerited, but the charge was much too unqualified, and the evils anticipated were greatly exaggerated. Nor was it sufficiently considered by what means they might be remedied whether they might not be checked, if not prevented, by better pay higher dignity vigilant superintendence, and occasional disgrace whether natives might not be influenced as well as Europeans by the hope of reward and fear of punishment. Corruption could not be universal. The temptation could not in every case outweigh the risk and no account was made of the force of public opinion, to which the natives of India are not insensible. It seems also to have been forgotten, that, for centuries prior to the introduction of European agency law and justice had been administered solely by natives yet society had been held together and there had been times when, according to the testimony of travellers and historians, India had been populous and flourishing, the people thriving and happy. This was

ability sufficient to decide ordinary questions with tolerable skill, but even the better sort of them are notoriously open to corruption; there is scarcely any thing like principle among them. I know there are some who think these native judges do more harm than good, and should be dispensed with altogether. —Datta. "The natives can rarely I fear be exclusively trusted with the administration of justice; and, in any part of the judicial system allotted to their execution, they must be superintended by Europeans. —Yalcover. Mr Henry Strachey Colonel Munro, and Colonel Walker entertain different views. It is my opinion that all the judicial functions of Bengal might gradually be thrown into the hands of natives, and that the business would be as well conducted under our regulations by the natives as Europeans; in some respects better and at one tenth of the expense. And again "I am of opinion that, with respect to integrity and diligence, the natives may be trusted with the administration of justice. I think no superintendence of Europeans necessary. "I place the European beyond the reach of temptation; to the native we assign some ministerial office with a poor stipend of twenty to thirty rupees month then we pronounce that the Indians are corrupt, and that no race of men but the Company's servants are fit to govern them. —Sir H. Strachey. In civilized populous country like India, justice can be well dispensed only through the natives themselves. It is absurd to suppose that they are so corrupt as to be altogether unfit to be entrusted with the discharge of this important duty. If they were so, there would be no remedy for the evil. their place could never be supplied by few foreigners imperfectly acquainted with their customs and language. Again "Give native judges from five hundred to one thousand rupees month, he will decide thrice as many causes as European. He might be corrupt; turn him out and try another and another. Make it worth his while to retain his post, and he will cease to risk its forfeiture. If we pay the same price for integrity we shall find it as readily amongst natives as Europeans. —Munro. The state of the preceding observations has been to show that the natives of India may in respect to integrity be trusted with the administration of justice; and that some of the civil offices of government may be confided to them with safety and advantage. —Walker; *Annals to Queries; Selections*, vol. II. There will be subsequently occasion to advert to later opinions on this subject.

still the case in some parts of the country, and, if it was not so more generally, the cause was to be found in the absence of good government and the prevalence of internal disorder, in which all institutions had been overturned, and principles as well as the practice of justice had disappeared. It was taking a narrow and ungenerous view of the question to draw a conclusion unfavourable to the native character from the state in which it had been left by the recent times of trouble, and, overlooking what it had been in better days, deny the probability of its amelioration under more propitious circumstances. The truth was beginning to be discerned, and, amid the prevalence of a contrary opinion, some few of the Company's servants warmly advocated the extended employment of the natives in the administration of justice as the only practicable means of proportioning the supply to the demand. The question continued in suspense, and little advance was made in the improvement of the judicial system in Bengal during Lord Minto's government. Measures were, however, in progress which were brought to maturity under his successor. Changes of more considerable magnitude took place at Madras, but they also underwent important modifications at a shortly subsequent period¹.

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¹ Bengal Regulation xlii. of 1803 enacted that the origination of civil suits of five thousand rupees and upwards should be transferred from the Zilla to the provincial courts; and Regulation xlii. of 1810 provided that decrees might be passed by one judge in sundry cases where two had been necessary, and that the fees on the institution of suits should be partly or wholly returned when the parties settled the cause by arbitration. At Madras, in 1809, Regulation v. enacted the payment of fees on the institution and trial of suits. Regulation vi. empowered the senior judge of the courts of circuit and appeal to take his tour of circuit duty. Regulations viii. to xiii. effected a new arrangement of the jurisdiction of the Zilla courts in the different divisions of the Madras provinces, and established four courts of appeal and circuit. In 1809, Regulation vii. provided for the occasional appointment of Zillah Judges, extended the jurisdiction of the registers, limited appeals, and provided head native commissioners in certain cases. Regulation viii. defined the duties and powers of judges of the provincial courts acting singly. Regulation x. increased the number of powers of native commissioners, and Regulation xii. limited and regulated the right of appeal. Up to the year 1808, the Regulations of the Bombay Presidency were framed as nearly conformable to those of Bengal as circumstances would admit, with the exception that, while the Mohammedan law was there also applicable to the decision of criminal trials, the Hindus under the Bombay Presidency were allowed the benefit of the laws of their religion in all trials, of whatsoever description, wherein they were the defendant or accused parties. At this period the Government of Bombay exercised the right, with which it was invested by the 47th of George III. sect. iii. chap. 68, of making Regulations of its own authority, and in this and subsequent years, the following Regulations provided for the more effective administration of civil and criminal justice—1803, Regulation ii.; 1812, Regulations iii. to xi., 1813, Regulations ii. iv. vii. ix.

BOOK L. Delays of a similar nature, although not to a like extent
 CHAP VII. were found to prevail in the administration of criminal
 1812. justice and, in a great measure from a like cause, the inadequacy of the provision made for its distribution. An evil of a still more pernicious tendency originated in the assignment of the duty of magistrate to the city or district judge. If as judge he devoted his attention to the civil suits in arrears the business of the magistrate was necessarily interrupted, and an interval might intervene between the apprehension of a prisoner and his commitment, which sometimes subjected the innocent to the punishment of the guilty and detained for an indefinite period a person in confinement against whom no charge could be substantiated. The same remedy that was applicable to the former case was here also obvious, and the separation of incompatible duties was a necessary preliminary to their effective discharge. For this purpose, the Bengal Government associated the Zilla and city judges in some instances with magistrates having a special or joint jurisdiction in criminal matters only or gave them the aid of assistant magistrates, acting in general subordinates to, but upon emergencies independently of, the judges. Other enactments were passed for the more effective conduct of previous investigation by the local officers, for admission to bail upon charges not of a heinous nature, for the dismissal of frivolous complaints, and the avoidance of all unnecessary delay between the apprehension of a person accused and his examination before the magistrate. The criminal, as well as the civil judicature, was the object of progressive legislation.

The state of the police formed in Bengal a more immediate subject of solicitude than even the defects of the administration of civil or criminal justice. The Lower provinces of the Presidency were infected by the increasing numbers and audacity of various classes of robbers, who,

Fifth Report, p. 69

Regulation xvi. of 1810

Regulations ix. 1807 and xl. 1812. Madras Regulation i. 1810 provided for the apprehension and punishment of persons resisting or evading the processes of the courts. Reg. i. of 1811 directed quarterly jail deliveries to be held in certain Zillas. Reg. iv. of 1811 laid for its general scope the objects of the Bengal Regulations: Regs. i. of 1807 and xl. of 1812, the more speedy trial and punishment, or acquittal, of persons charged with offences not of a heinous nature; this also enjoined the Zilla magistrates to furnish an annual report of all cases depending on the 31st of December before them or their assistants. The Bombay Regulations are cited above.

under the designations of Dakoits, Choars, Kuzzaks, Budhuks, or Thugs, infested the country, and not unfrequently added murder to robbery. The Kuzzaks were mounted robbers, who occasionally singly beset the high roads, or, having collected in parties, attacked and plundered whole villages. The Budhuks and Thugs were distinguished by their practice of strangling unsuspecting travellers, with whom they contrived to fall in upon a journey. The Dakoits and Choars were robbers who assembled in gangs, and, entering the villages by night, attacked the house of some one person reputed to possess valuables or money. These last were the most formidable. Their depredations were first noticed in 1772, when they were described by the Committee of Circuit as individuals not driven to such courses by want, but robbers by profession, and even by birth, following the profession from father to son. But, however true this may have been at the period of the report, there was no doubt that latterly many of the members of the several gangs were not professional banditti, but were urged by necessity to enlist in the gangs, or sometimes were compelled by force or fear to join them¹. Aided by such recruits from the peasantry, the Dakoits acquired greater strength and confidence, and from 1800 to 1810 kept the country in perpetual alarm². Extraordinary efforts became necessary for their suppression.

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¹ "In accounting for Decolty or robbery in a Zilla, our first step ought to be to examine the condition of the Ryots, and we shall always find in their poverty and oppression the chief cause of this evil"—Tytler, Considerations on the State of India, i 374. 'A gang of Decoits does not consist entirely of professed robbers many of the party are poor honest industrious people who are seized for the service of the night'—Letter from E Strachey, Judge of Rajshahi, Fifth Report, App 588.

² In the language of Lord Minto, "a monstrous and disorganised state of society existed under the eye of the supreme British authorities, and almost at the very seat of that Government to which the country might justly look for safety and protection. The mischief could not wait for a slow remedy, the people were perishing almost in our sight, every week's delay was a doom of slaughter and torture against the defenceless inhabitants of very populous countries"—Minute, 24th Nov 1810, Parl Papers, 1st July, 1819, p 23. His lordship's language, and that which was generally employed on this occasion by the members of the Government and by the judges, is liable to the charge of exaggeration. At this very time, when it was said by the judicial secretary, that "there was no protection of person or property to the people of India," it was very possible for an individual unconnected with the judicial department to be scarcely aware that such a crime as gang-robbery existed. In dwelling upon the absolute amount of crime, its proportional ratio to the population is imperfectly adverted to. According to official returns, the total number of murders, including those committed by Dakoits, in the Lower provinces, was in the year 1813 two hundred and ten, the population being above thirty seven millions.—Commons' Committee, 1832, App Judicial, p 505.

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The Dakoits, although in their aggregation and in their following acknowledged leaders or Sirdars they bore an analogy to the brigands of the south of Europe, or the banditti of the middle ages, yet resembled more nearly some of the illegal confederations which have been organised in modern days and more civilised communities in Europe, in their assembling by night only and dispersing and following peaceable occupations during the day most of them being engaged in the cultivation of the soil or following mechanical trades. Individuals among them were well known as Sirdars, by whom their expeditions were projected, and by whose orders the gang was assembled at an appointed spot, generally a grove near the village to be attacked. The members of the gang, who were secretly known to the Sirdars, and sometimes to each other, repaired to the place, variously armed, chiefly with swords, clubs, and pikes, and some with matchlocks. Their numbers varied from ten or fifteen to fifty or sixty. When collected, their marauding excursion was usually preluded by a religious ceremony the worship of the goddess Durgā, the patroness of thieves, typified by a water-pot or a few blades of grass. The ceremony was conducted by a Brahman of degraded condition and dissolute life. Having propitiated the goddess by the promise of a portion of their spoil, they marched with lighted torches, and little attempt at concealment beyond disguising their faces by pigment, or covering them with masks, to the object of their expedition, usually the dwelling of some shop-keeper or money-changer, in which it was expected to discover treasure. Occasionally the motive of the attack was vengeance and information given by the householder or some of his family against any of the members of the gang, brought upon him the resentment of the whole fraternity¹. Upon entering the village it was customary to fire a gun, as a signal to the inhabitants to keep within their dwellings the house against which the operation was designed was then surrounded and, whilst some of the gang forced an entrance, others remained as a guard without. Unless exasperated by resistance, or instigated by revenge, the Dakoits did not

¹ Mr Secretary Dowdswell's Report, Sept. 1800. Of the three cases of which he gives the trials in abstract, one of which has been cited by Mr MTL, v 306, two originated in revenge.—Fifth Report, App. 604.

commonly proceed to murder, but they perpetrated atrocious cruelties upon such persons as refused, or were unable, to give them information regarding property which they suspected of having been concealed, burning them with lighted torches or blazing straw, or wrapping cloth or flax steeped in oil round their limbs and setting it on fire, or inflicting various tortures, which caused immediate or speedy death.¹ The object being accomplished, and the booty secured, the gang retired before daylight, and the individuals resumed their daily occupations. Such was the terror inspired by their atrocities, and such the dread of their revenge, that few of their neighbours ventured to inform or give evidence against them, although well aware of their real character and proceedings. The police, intimidated or corrupt, rarely interfered until the robbery was completed and the perpetrators had disappeared, and their interposition was far from welcome to the people, as their unprofitable and vexatious inquiries had frequently no other purpose in view than the extortion of money as the price of forbearing to drag the villagers, unwilling witnesses, before the European magistrate, or even of falsely accusing them of being accessory to the crime.²

The Zilla judge, who according to the existing system administered, as has been mentioned, both the criminal as well as the civil law, and was charged also with the duty of police magistrate, necessarily resided in the capital town of his jurisdiction, which might be a hundred miles remote from the scene of a robbery. Fully occupied with his other duties, it was impossible for him to pay frequent visits to places at any considerable distance from his station, and not only was local investigation therefore impracticable, but it was impossible for him to exercise a vigilant personal

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¹ In one hundred and four houses attacked by Dakoits in the course of thirteen months, eight persons were wounded, three were tortured, and five killed.—Dowdeswell's Report, *ibid* 606. In 1813, the whole number of Dakoitis under the Bengal Presidency was six hundred and ninety, in which seventy-one persons were killed, two hundred and forty-six tortured and wounded. The returns show characteristic differences between the Lower and Upper provinces

	<i>Dakoties</i>	<i>Murdered</i>	<i>Tortured and Wounded.</i>
Lower provinces	506	31	149
Upper provinces	185	40	97

In the latter more were murdered and fewer wounded in little more than one third of the robberies, proofs of more fierceness but less cruelty.—Commons' Committee, 1832, App p 506

² Dowdeswell's Report, and Letters of the Judges preceding

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supervision over the officers of the police. The police jurisdictions were originally intended to include tracts of about twenty miles square but they were of greater or less extent, according to circumstances, and usually embraced a numerous population. Each of these was under a head officer or Daroga, who had at his disposal from twenty to fifty armed men, a very inadequate force in many cases to maintain order amongst the inhabitants of the district. To render them still more ineffective, the pay of the whole, the Daroga included, was barely sufficient for their support, and they were almost of necessity corrupt. Little or no assistance was to be expected from the people. Their ancient institutions had been broken up either directly or indirectly by the regulations of the Government. The Zemindars had been formerly charged with the management of the police, and were held accountable for all acts of robbery or violence committed within their Zemindaris. They abused their power and neglected their duty in some cases and they were relieved of the one, and deprived of the other in a summary manner and they were little inclined to interest themselves in a troublesome and thankless office. The instruments employed under them had been of two classes one, under the term *Palks* and *Chokidars*, attached to them and their agents personally the other known as *Pasbans*, *Nigahbans*, or *Hâris*, connected with the villages the former were the police of the whole district the latter the watchmen of their respective hamlets. Both were paid chiefly by allotments of land rent-free, or held at a low quit-rent under the Zemindar. When he ceased or was forbidden to have any concern with the police, he had no inducement to keep up a police establishment and, when it was intimated that the allowances formerly made to him for the expense were withdrawn, he either levied the same rent upon the allotments of the watchmen and *Palks* as on any other of his Ryots, or he

By Reg. xxii. of 1793; on the grounds that the class in their engagements which had formerly invested them with the authority had not only been found nugatory but in numerous instances proved the means of multiplying robberies and other disorders, from the collusion which subsisted between the perpetrators of these and the police-officers entertained by the Zemindars and farmers of the land.

Their numbers may be estimated from those of one district. In *Bardhaman*, in 1798, there were two thousand four hundred *Pasbans* or village constables, and nineteen thousand *Palks*.—Judicial Letter from the Court of Directors, Nov. 1814; *Parl. Papers*, 3 July 1819 p. 42.

resumed the land. The Paiks were generally dismissed. the village watchmen lingered, but in a state of poverty and inefficiency which rendered them worse than useless. It was of little avail, therefore, to place them by law under the authority of the new Darogas, and to enact that they should be kept up and duly registered. The enactments were disregarded, and the native police establishments ceased to exist, or were in no condition to give effectual aid in preserving the public peace. They were much more likely to be in concert with its disturbers.¹

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The evil consequences of having so completely excluded native co-operation, had long been urged upon the consideration of the Government by many of its ablest officers, and one of its first remedial measures was to re-invest the Zemindars with a portion of their former authority. Regulations were accordingly enacted, by which respectable inhabitants of the several provinces were commissioned to act as Amins or superintendents of police. They were authorised to receive written charges of all offences of a heinous nature, issue warrants for the apprehension of offenders, and send the persons so apprehended to the police Darogas, to apprehend, or cause to be apprehended, without warrant, persons engaged in the actual commission of a heinous crime or flagrant breach of the peace, and have them conveyed to the nearest police thanna, they were enjoined to assist the Darogas on all occasions, to send them information, and see that the village watchmen did their duty, to obey the magistrate's orders in instituting any inquiry, and to furnish him with a monthly report of the persons whom they had apprehended, and they were declared liable to prosecution in the criminal court for any act of corruption, extortion, or oppression, done by themselves, or any person acting under their authority.²

In these regulations for enlisting persons of credit and influence in the preservation of the public peace, there were several radical defects which ensured their failure

¹ Reg. I 1793 reserved the option of resuming the whole or part of such allowances as had been made to the Zemindars for keeping up police thannas, or the produce of any lands which they might have been permitted to appropriate for the same purpose. "Extensive resumptions were made under this clause, resumptions were also made by the Zemindars, and the effect of both was to reduce the native police to a state of want, which drove them to a life of robbery and plunder for a subsistence"—Letter from the Court, Parl Papers, 1819, p. 50

² Bengal Regs. xii and xiv 1807

BOOK I. These police Amins were not only to give their services without pay but, "considering the description of persons from whom they were to be selected, it was not expected that they would require any distinct establishment of public officers at the charge of Government to enable them to perform the duties required of them." They were, in fact, to pay a police as well as to perform its functions. It is not surprising that few should have been willing to accept the office. Even had these unreasonable stipulations been omitted, it was not to be expected that many persons of respectability would have been ambitious of a post which made them subordinate to the police Darogah. The regulations were rescinded in a few years¹ and the penalties of fine and imprisonment were then imposed upon the Zamindars, and all holders of land, if they failed to give early and punctual information of the commission of any public offences, or the resort of robbers in any place within their estates and if they afforded to such offenders food, or shelter, or concealment, they were liable to forfeit their lands to the Government. Similar penalties had been previously denounced but to so little purpose, that it was doubted if a single instance was known of their having been enforced. With respect to the inferior agents, Paiks, Chokidars, and the like, they were made liable to corporal punishment by the magistrate if proved guilty of misconduct or neglect. No provisions were enacted at this time for replacing them in the occupancy of their lands, to obviate the necessity which made them, according to Mr Dowdeswell, alternately watchmen and robbers.

Actuated by that spirit of exclusive reliance upon European agency which had been engendered by the institutions of Marquis Cornwallis, the Government of Bengal strengthened the department of the police by the appointment of two superintendents of police, one for the Lower and one for the Western provinces. These officers, acting in concert with the magistrates, or as occasion required, independently of them, were not restricted to any particular station or defined district, and were enabled

Bengal Reg. v. 1518.

Dowdeswell's Report; Fifth Report, App. 614.

Reg. III. 1512.

Bengal Regs. IX. 1808; II. 1512.

to exercise a more immediate supervision over the Darogas and police establishments, and to apprehend and punish offenders in a more prompt and vigorous manner¹ The arrangement was beneficial. But, besides these officers, magistrates were appointed with special powers to suppress the crime of gang-robbery in the districts adjacent to Calcutta, which were its principal seats. Selected for their personal intelligence and activity, and for their knowledge of the languages and customs of the people, at liberty to devote their whole energies to their particular duties, and armed with large discretionary powers, they speedily arrested the mischief, but in their zeal they had recourse to unjustifiable rigour, and were almost as severe a scourge to the country as the Dakoits themselves. The inhabitants of the villages were indiscriminately apprehended upon insufficient evidence many of them were acquitted upon trial after having been long detained in prison some died in confinement² It was argued in defence of this procedure, that, although the acquitted persons might not have been concerned in the actual offence, yet they were cognisant of its perpetration, and neither took any steps to prevent it, nor to bring the perpetrators to justice, that violent diseases required strong remedies, and that it was better that a few inno-

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¹ Regs. x. 1808, viii 1810

² At Muddenpore, some treasure having been plundered by Dakoits, one hundred and ninety-two persons were apprehended upon the charge of an informer one hundred and forty-two were released upon examination, forty-six were committed, six were pardoned upon a pretended confession, for it turned out on the trial of those committed who were detained in prison above a year, that the whole were innocent, the charge having been a fabrication. Three of the prisoners died in jail—Sir H. Strachey, *Answers to Queries*, Judicial Records, ii 70. At Nadiya, two thousand and seventy-one persons were apprehended as Dakoits from the 20th May, 1808, to the 31st of May, 1809, of whom no less than one thousand eight hundred and twenty-eight had been taken up as men of bad character and on vague suspicion, forty-four only had been convicted before the Court of Circuit during two sessions, three hundred and sixty-nine had been released by the magistrate, two hundred and sixty-eight acquitted by the court. Of those who remained in jail after the first sessions of 1809, the greater part had not been brought up for trial at the two sessions which followed, but still remained in confinement. On the 31st of May 1809, there were no less than one thousand four hundred and seventy-seven prisoners in the Nadiya jail who had not been examined. Besides the two thousand and seventy-one prisoners above specified, a considerable number of persons had been apprehended as Dakoits during the same period by Messrs Blacqnieri and Leyden, the magistrates of the twenty-four Pergunnas and joint magistrates of Nadiya, and by their Goyendas, who, instead of being examined and tried were sent down to the Presidency, and there kept in confinement.—Judicial Letter from the Court, 1st Oct. 1814, *Parl Papers*, June 1819, p 25

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1818.

cent persons should suffer than the whole community live in alarm and danger. Equally exceptionable was the subordinate agency by which the objects of the magistrates were in most instances obtained — the employment of hired spies or Goyendas. It was admitted that the system was liable to abuse, that the Goyendas were unprincipled miscreants, who made their power the means of extortion, and who hesitated not to sacrifice innocent individuals to their cupidity or their revenge. But it was maintained, that their instrumentality was absolutely necessary, that no efficient police could be established in any country except upon the basis of espionage, that without the aid of hired informers the most notorious leaders of the Dakotas would not have been apprehended at all, and that the improvement manifested in the districts round Calcutta was proportionate to the skill with which this powerful engine had been wielded. These were the sentiments of many of the most confidential advisers of the Government, and they predominated in its councils. Notwithstanding this view of the case, and admitting the efficacy of the Goyenda system in the districts which were most disorganised, and in hands better adapted to a harsh than delicate handling of a public nuisance, it was shown by contemporary experience that such extreme and mischievous methods were not indispensable, and that the evil was susceptible of alleviation by a milder treatment. In one district at least, that of Burdwan, gang-robbery, once as prevalent there as in other places, was nearly extinguished in the course of a twelvemonth by very different measures. The instruments employed were the neglected and undervalued institutions of the country animated by skilful superintendence and encouragement: the landholders and headmen of the villages and of various trades were called upon to enter into engagements for the performance of those duties, which it was personally explained to them they were expected to fulfil, and the village watchmen were punished for neglect or connivance, and rewarded for courage and good conduct. Attempts to deprive them of their service-lands were sedulously resisted, and the villagers were encouraged to give them more liberal sub-

sistence In this instance it was unequivocally shown that the co-operation of the people was to be had, and that when had it was efficacious ¹

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Notwithstanding this evidence of the feasibility of a different system, no attempt was made to act upon it on a more extensive scale, and the only enactments of the Government, in addition to those already adverted to, placed the rewards which had been given for the apprehension of Dakoits upon safer principles. The amount payable upon conviction was augmented it was made payable wholly, or in part, where conviction could not be established, if circumstances justified the apprehension of the prisoner, and it was to be withheld, even where conviction ensued, if it appeared that improper means had been pursued by the informer. Rewards for meritorious exertions, and remuneration for expense incurred in cases not specified, connected with the discovery and apprehension of offenders, were also authorised. The combined operation of the measures of the Government was not without effect the crime of gang-robbery, although not wholly eradicated, was materially checked, and during the latter part of Lord Minto's administration, it became much less frequent, and was less marked by cruelty and bloodshed.

Shortly prior to the appointment of Lord Minto, a

¹ In the year 1810, Mr Butterworth Bailey was appointed to the office of magistrate of Burdwan. In Feb 1811, the Circuit Judge reports that "gang-robbery, formerly so prevalent, had become nearly extinct, and a regular system had been introduced which promised fair to secure the co-operation of the community in the detection and apprehension of offenders." The causes of improvement are thus detailed by Mr Bayley, "The uniform punishment and dismissal from office of the village watchmen wherever there was any appearance of neglect or connivance on their part in robberies, and the rewards which were constantly given to them for any proof of bravery, activity, or good conduct in opposing or apprehending Dakoits, the exertions made by him for obtaining a more adequate subsistence for the village watchmen, by carefully preventing all attempts on the part of the Talookdars to resume any part of the Chakeran lands, and by encouraging the head villagers to subscribe a more liberal remuneration for the support of their Chokidars than had before been customary." The Mandals, who were the principal fixed residents, and were vested by long usage with considerable local authority and immunities, and the Chokidars under them, were the chief classes upon whom Mr Bayley relied for information and aid in the improvement of the police. He however took Moochukkas not only from them, but also from the landholders gomashitas, vendors of spirituous liquor, pawnbrokers, gold and silversmiths, &c, explaining to them personally the duties they were enjoined to perform, and the practices from which they were expected to refrain.—Letter of Court, 9th Nov 1814, Parl Papers, June, 1819, p 53. In this letter the Court take a general review of the past and actual state of the police in Bengal.

BOOK I. controversy had commenced between the authorities in
 CHAP VII. England and in India respecting the course to be pursued
 1813. with respect to the final settlement of the revenue from
 the land in those parts of the British territory where a
 settlement was yet to be effected, comprising the Ceded
 and Conquered provinces under the Presidency of Bengal,
 and the provinces in the south of India which had been
 annexed to the Madras Presidency by the humiliation and
 downfall of the Mohammedan Government of Mysore.
 Opinions at home had undergone a material change.
 Principles, which but a few years before had met with
 universal assent, were now called in question and mea-
 sures, which had received the sanction and commendation
 of the Court of Directors, the Board of Control, and of
 successive administrations, and which had been enlogued
 by high authorities as the result of consummate wisdom
 and enlightened disinterestedness, were now stigmatised
 as improvident and precipitate, as originating in defective
 knowledge and erroneous analogies, and as equally detri-
 mental to the prosperity of the state and the happiness of
 the people. The leading members of the Bengal and
 Madras Governments, trained in the school of Lord Corn-
 wallis, and, with the exception of the Governor-General
 himself, the instruments and coadjutors of that nobleman
 in framing the perpetual settlement of Bengal, and in
 extending its provisions to Madras, tenaciously adhered
 to the principles of that settlement, and strenuously urged
 its universal adoption. The principal authorities of Eng-
 land, on the contrary influenced by the proceedings and
 sentiments of some distinguished revenue officers of the
 Presidency of Madras, first suspended, and finally pro-

The distinguished character of Lord Cornwallis, and the authority
 which the permanent settlement derived from the approbation of Mr Pitt, of
 Mr now Lord Grenville, and the late Lord Melville, justly clothed it with an
 awful veneration, which for many years precluded the agitation of any ques-
 tion as to its merits. — *Commons Committee*, App. p. 67; *Observations on the*
Revenue System of India, by the Right Hon. John Sullivan. In the Parlia-
 mentary Debates, House of Lords, 6th April, 1813, Lord Wellesley observed,

Every Governor of India had acknowledged the justice and policy of the
 principle of the permanent settlement, and he was satisfied that every person
 qualified to be Governor of India must do the same. It formed the corner-
 stone of the Government of India, and the extension of the principle to the
 Conquered provinces would send solid basis for that Government to rest
 upon. On the same occasion, Lord Grenville urged the insertion of clauses
 in any charter to be granted to the Company declaratory of the adherence of
 the India Government to the principle of permanency.

hibited, the conclusion of an assessment in perpetuity in those provinces to which it had not been extended¹ To render this change of purpose intelligible, it will be necessary to take a brief survey of the condition of the agricultural population of India, and the principles upon which the realisation of the revenue derived from land was founded, previously to the establishment of the British Government, as well as of the proceedings of the British Government subsequently to those which have been already described in connexion with the permanent settlements made by Lord Cornwallis

Land is the main source of the revenue of the British Government in India. That Government follows in this respect the principles and practice of its predecessors, both Mohammedan and Hindu, and, while it avails itself of a convenient and profitable means of making provision for the public charges, it consults the advantage, and conforms to the notions and feelings, of the people²

¹ The Select Committee of the House of Commons, in their celebrated Fifth Report, printed July, 1812, first publicly called the principle in question, employing what Marquis Wellesley termed ambiguous words, tending, according to Lord Grenville, if not to discredit the original measure, at least to discountenance its proposed extension. The Report is known to have been the composition of Mr Cumming, at that time superintendent of the revenue and judicial department in the office of the Board of Controll, who was an implicit believer in the excellence of the Ryotwar settlement as advocated by Sir Thomas Munro—Commons' Committee, 1832, App., Revenue remarks by Mr Sullivan. We have also the testimony of Mr Courtenay, between fifteen and sixteen years secretary to the Board of Controll that the opposition to the permanent Zemindari settlement originated in the Board, not in the Court. "I may here mention, that the system known by the name of Sir T Munro's system was the work of the Board, and in many parts of it was opposed by the Court. The same observation applies to many matters concerning the revival or maintenance of ancient native institutions, and the employment of natives in public functions." And again "When I said that Sir T Munro's system was the work of the Board, I meant that it was taken up and countenanced by the Board rather than the Court"—Commons' Com 1832, App., Public answers, 292 1585

² "In India the land has always furnished the chief revenue of the state, and taxes are immediately imposed upon it."—Minute of Lord Teignmouth, Fifth Report, App 205 "By the ancient law of the country the ruling power is entitled to a certain proportion of the produce of every beega of land demandable in money or kind, according to local custom, unless it transfers its right thereto for a time or in perpetuity"—Preamble to Reg xix 1793 "Any change from established custom in India gives rise to a great deal of dissatisfaction. The land rent is what the people readily pay, and, although it may appear exorbitant, it is a revenue that is paid without much difficulty. A tax in any other shape, however small, is comparatively disliked"—Christian Evidence, Lords' Committee, 1830, Question 848 "Nine-tenths probably of the revenue of the Government of India is derived from the rent of land, never appropriated to individuals, and always considered to be the property of Government and to me that appears to be one of the most fortunate circumstances that can occur in any country, because, in consequence of this, the wants of the state are supplied really and truly with-

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But this fact being stated, there occur sundry questions, which, although repeatedly and earnestly investigated, have not yet been answered in such a manner as to secure universal acceptance. They may be briefly resolved into the following 1. In what character did the native Governments claim a revenue from the land? 2. What were the nature and extent of their demands? 3. By what class or classes of the people were those demands discharged? 4. Upon what principles were the demands of the British Government regulated? We shall endeavour to elicit a reply to these queries from the mass of conflicting statements by which the subject has been obscured but, as the space which can be devoted to the inquiry is unavoidably disproportionate to the quantity of unmethodised materials which have been accumulated with a view to its elucidation, it will be necessary to select for description only a few of the most important points, omitting many of less moment, though of scarcely inferior interest.

I. The demand made by the Sovereign has been commonly referred to his character of proprietor of the soil. It has been maintained that it is by his permission only and with his sanction, that the land is occupied, and that the occupant sows his seed and reaps his crops that whatever produce is in excess of the bare subsistence of the cultivator and cost of cultivation, is the property of the king, that it is rent, not revenue, to which he is entitled, for he is the one universal landlord that this is

ent taxation. As far as this source goes, the people of the country remain taxed. —Mill Evd., Select Committee of House of Commons, 1831; Question 3124. The proposition was overruled, as was subsequently remarked by the Committee; it was about six-tenths nor as there will be occasion to remark, was it quite correct to say that the rent of land was never appropriated to individuals.

The principal authorities consulted for the following passages in the text are, The Fifth Report of the Select Committee of 1810 printed 1812, 1 vol. 8vo.; Selections from the Revenue and Judicial Records at the India House, printed by order of the Court of Directors, 1820-1826, 4 vols. 8vo.; Reports of the Select Committee of both Houses of Parliament in 1820 (1821) and 1822, with evidence and appendices, reported by order of the Court of Directors, 18 vols. 4to.; Colonel Walker's History of the South of India; Sir J. Malcolm's Central India; Mr. Elphinstone's History of India; House on the Land Tenures of India; General Briggs on the Land-tax of India; General Galloway on the Law and Constitution of India; M. Tucker on the Financial Situation of the East India Company; Colonel Sykes on the Land Tenures of the Dekhin; Mr. Thomson on the Revenue Settlement of Astringhur; and variety of tracts and papers.

the character in which the sovereign appears in the laws and institutions of the Hindus, in the laws of the Mohammedan conquerors of India, and in the practice of all modern native governments, and in which he is recognised universally by the people¹

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Notwithstanding the positiveness with which it has been affirmed that the proprietary right of the sovereign is indissolubly connected with the ancient laws and institutions of the Hindus, the accuracy of the assertion may be reasonably disputed. In adducing the authority of Hindu writers in favour of the doctrine, two sources of fallacy are discernible. No discrimination has been exercised in distinguishing ancient from modern authorities, and isolated passages have been quoted, without regard to others by which they have been qualified or explained.² If due attention had been paid to these considerations, it would have been found that the supposed proprietary right of the sovereign is not warranted by ancient writers, and that, while those of later date seem to incline to its admission, they do not acknowledge an exclusive right

¹ See Mill, History of India, i 212, and notes, also Grant's Reports on the Northern Circars and the Revenues of Bengal, and the Minute of Lord Cornwallis, Fifth Report, App 473. Colonel Munro says, "Nothing can be plainer than that private landed property has never existed in India except on the Malabar coast"—Revenue Sel i 94. And the Board of Revenue observe, "We concur with Colonel Munro in thinking that Government is virtually the proprietor of the soil"—Ibid 486. Such also is Mr Fortescue's opinion with respect to the Western provinces, and at a long subsequent date, "As to the proprietorship, my belief is, that the Government is the proprietor of the land, and that the person occupying it is well satisfied with the occupation, paying the rent."—Lords' Committee, 1830, Evld, Question 511. And on the opposite side of India, Colonel Barnewall asserts that the people in Guzerat claim no property in the soil. Government is vested with the property in the lands, and, as landlord, entitled to the rent, or a share of the produce equal to it—Commons Committee, 1832, Evld 1755.

² As observed by Mr Mill, i 213 and note, the Digest of Hindu law compiled by the desire of Sir William Jones, and translated by Mr Colebrooke, favours the proprietary right of the sovereign, particularly in stating, that, if no special engagement for a term of occupancy has been made, the occupant may at any time be dispossessed by the Raja in favour of a person offering a higher revenue—i 461. Colonel Wilks accuses the Pandits, who compiled the Digest, of falsifying the law, but the charge is undeserved. The original passages of the Digest are not the law, they are the opinions of the compiler as to the meaning of the law, and it is open to any one to contest or admit the interpretation according to the purport of the ancient texts, which are also given. It is also necessary to collate this passage with what follows, it will then be found that Tarka Panchanana, the compiler, does not deny proprietary right in the subject, he only infers the co-existence of concurrent rights. "There is property" he says, "of a hundred various kinds in land" and, when treating of sale without ownership, he observes, "The property is his who uses the land where he resides, and while he uses it, and thus, when land belonging to any person is sold by the king, it is sale without ownership"—i 476. The sale is illegal.

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but one concurrent with the right of the occupant; they acknowledge a property in the soil not the property of the soil. In the older jurists, we find, indeed, the right of kingly power over the whole earth asserted and the right is based, with every semblance of historical truth, upon conquest but there is no attribution of ownership to the king, nor is there any trace of a royal property or estate. Proprietary right is vested in the individual who first clears and cultivates the land. It is therefore referred to colonisation a source which, as regards India and the Hindus, is probably in a great degree historical. The King may occupy unclaimed or uncultivated lands, as well as a subject he has no preference if he appropriates them, he must give away half to the Brahmans, if they are appropriated by a subject, the king claims only the share of the produce assigned to him by law. Concurrent and not incompatible rights and claims are thus clearly recognised and the king's dues are based, not upon any indefeasible right of property but in the first instance upon conquest, and in the second upon protection.

The notion of the proprietary right of the sovereign is

The texts of Menu, which have been cited in proof of the proprietary right of the Raja, have been misunderstood. In B. vii. v. 28, the phrase rendered by Mr W. Jones lord paramount of the soil, is *Bhūmī-adhipati*, supreme ruler of the earth the title *Adhipati*, over-lord, no more implies ownership in this text than when it is used to denote the head-man of a village, *Grāma-adhipati*; or governor of a district, *Deśa-adhipati*. In another text, in which the authority of king is intimated to be analogous to that of husband over wife, the sources of property in subjects are also enumerated. "Ancient sages have called this earth (*Prithivī*) the wife of *Prithu*; they have called the field his who has cut down the thicket; the wild beast his whose shaft has slain it. — B. ix. 44. The subjection of the earth by *Prithu* is clearly an allegory of its conquest by the military caste see *Vishnu Purana*, p. 103. The compiler of the Digest expressly states that the king's proprietary right is

denied by some, because Menu has only declared that subjects shall be protected by the king. — 471. Menu then, even according to the Pandita, is not authority for this doctrine. Another ancient lawgiver *Yasawalkya*, is quoted in the Digest to show that the king has no particular property even in unclaimed or uncultivated ground; if a subject chooses, he may occupy it without leave, giving the Raja his due. — l. 461. Another writer of antiquity *Jamini*, the author of the *Mimamsa*, also denies the king's ownership. "The king's power is for the government of the realm and for the punishment of wrong, and for that purpose he receives taxes from husbandmen and levies fines from offenders; but the right of property is not thereby vested in him also he would have property in houses and land appertaining to the subjects abiding in his dominions. The earth is not the king's, but is common to all beings enjoying the fruit of their own labour. — Colebrooke on the *Mimamsa Philosophy* Trans. Royal Asiatic Society, l. 484. Mr Kishinchand Jesty concludes, from the Hindu laws on this subject, that as the king's share was limited to one-sixth, or at most to one-fourth, there must have been a proprietor for the other five-sixths, or three-fourths, who must obviously have had the greatest interest of the two in the whole property shared. — *History of India*, l. 42.

rather of Mohammedan than Hindu origin. The doctrines of the Mohammedan jurists are somewhat at variance on this matter. Those who belong to the school which has been chiefly followed in India, maintain the right of individual ownership yet they do so with considerable reservation, for they restrict the appropriation of all uncultivated land to the king, assign to him the property of all except arable land, authorise him to dispossess any occupant who neglects to cultivate his land, and transfer it to another,¹ and entitle him to claim the whole of the net produce of cultivation. Other Mohammedan lawyers assert unequivocally, that in all conquered countries, and India is in their estimation a conquered country, although the inhabitants may be suffered to retain the occupancy of their lands, the property of them is vested in the sovereign.² It is apparently to these doctrines, to the long continuance of Mohammedan domination over a large portion of India, and to the influence which it indirectly exercised over the states that remained subject to Hindu princes, that the notion of the proprietary right of the sovereign owed its general and popular acceptance.

For upon whatever system of law that impression was founded, and whether erroneous or just, there is little reason to doubt that in later times at least it has prevailed very widely amongst the people,³ and regulated the

¹ The Hindu law, as it appears in Menu, does not go this length. It provides only, that in case of neglect to cultivate, the owner shall be fined ten times the amount of the king's share, if his own fault, five times, if that of his servants — B. viii. v. 243. There is not a word of confiscation or transfer.

² Galloway on the Law and Constitution of India, p. 101. According to this writer, a high authority in matters of Mohammedan law, the school of Abn Hanifa was that which was chiefly followed in Hindustan, and this jurist affirms that in conquered countries the people paying the legal impost preserved their proprietary rights. General Galloway also states that this is denied by the Shafia and Malikia schools, according to which the lands, although retained by the people, become the property of the sovereign — Ibid, 45. It is worth observing, that all the authorities cited by Mill, l. 214 note, with exception of Diodorus and Strabo, whose testimony is not entitled to very great deference, derive their opinions from their observation of the state of things under the Mohammedan governments.

³ The belief of Mr. Fortescue with regard to the opinions of the people of the Western provinces has been already cited, note, p. 295. The Abbé Dubois is a good representative of the popular notions prevailing in the Dekhin, and he says, "The lands which the Hindus cultivate are the domain of the prince, who is sole proprietor: he can resume them at pleasure, and give them to another to cultivate." — Description of the People of India, p. 496. The author has heard the same sentiment expressed repeatedly by well informed Hindus from the Upper provinces. They have admitted the full right of the Government to dispossess any occupants whatever, although, if the customary

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practice of the native governments. This gives the question its importance. Abstractedly considered, it signifies but little whether the king be called the lord of the soil, or by any other title but, when in this capacity he superseded all other rights, it became no longer a matter of mere speculation. Acting upon this principle, the native rulers required that a formal grant should legalise the occupation of all waste land, and sequestered estates of which the cultivation was neglected or the revenues unpaid fixed at their pleasure from time to time the proportion of the produce which the occupant was to pay claiming indeed the whole of the net produce as the rent and turned out actual occupants in favour of others offering a higher amount of payment. The almost universal practice of recent times transferred these rights and powers to contractors and farmers of the revenue, from whom the prince exacted as much as he could obtain, and then left them at liberty to extort all they could, and by whatever means they could, from the people. His right to do so was not questioned, but its exercise through such instrumentality was resisted where resistance was thought likely to succeed and the consequences of the system were such as might have been anticipated—the decline and disorganisation of the country.

The proprietary right of the sovereign derives then no warrant from the ancient laws or institutions of the Hindus, and it is not recognised by modern Hindu lawyers as exclusive, or incompatible with individual ownership. It is the doctrine of one of the schools of Mohammedan law, it has influenced the practice of the later native governments, and it had obtained a very general belief among the people. The popular belief was, however modified by the remembrance of original rights and the remains of primitive institutions and while in theory the people admitted the right of the prince to the lands they tilled, yet in practice they very commonly regarded them as their own as long as they paid to the sovereign his undisputed share of the produce. Unhappily for them, this share was of late rarely regulated by any other

demands were paid, such act would be considered harsh and oppressive. In Bengal the action has probably been effected by the Company's regulations the landlords have been brought different leases.

standard than their ability to comply with the exactions of their rulers

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II. The ancient Hindu law enacts that the demand of the Raja shall be levied in kind. The king is to have a proportion of the grain, a twelfth, an eighth, or a sixth¹. It is also declared, that in time of war, if he should take one-fourth, he would commit no sin². A fourth of the actual crop constituted therefore the utmost limit of demand, and that only in time of war, under the ancient Hindu system, and this proportion evidently left such a share to the cultivator as was equivalent to a profit upon his cultivation, or to a rent, enabling him at his will to transfer the task of cultivation to tenant farmers, and placing him in the position of a landed proprietor as far as ownership of rent is evidence of such a tenure³. The Mohammedan law established a totally different proportion. It extended the claim of the Crown to the whole of the net produce, assigned to the cultivator only so much of the crop as would suffice for one year's subsistence of himself and his family, and for seed, and reduced him to the condition of a mere labourer on his own land. The whole of the profit or the rent went to the sovereign, who thus became the universal landlord⁴. The more

¹ Menu, B. vii. v. 30. The commentator explains the several rates to depend upon the quality of the land, and the labour required to bring it into cultivation, the highest rate being levied on the best, the lowest on the worst sort of land. the assessment was therefore irrespective of the actual crops.

² It has been argued, that this would furnish a plea to the Raja to exact a fourth at all times, as a case of necessity could always be made out, but this is not possible consistently with a due regard to the language and obvious intention of the law. The passage should be thus rendered "A Kshatriya, in time of calamity, protecting his subjects to the utmost of his power, is liberated from sin although taking a fourth part." The verse occurs in the section which treats of the conduct of the different castes in times of distress, and is detached from the passages concerning revenue. That the distress here indicated means time of war is clear enough from the passage that immediately follows "for battle is his duty, he should never turn his face from fight, protecting the cultivators with his sword, let him levy taxes in a lawful manner" — v. 119.

³ See Mr. Mill considered it, and remarked, that there was no ownership of rent in India as in Europe — Commons' Committee, 1831, 3288. The assertion was incorrect. there was ownership of rent as long as the native Governments suffered it to continue, and there still is such ownership under the British Government, where the assessment is light.

⁴ "When the Imam conquers a country, if he permits the inhabitants to remain on it, imposing the Kharāj on their lands and the Jazia on their head, the land is their property." Not very valuable property it should seem, for "Imam Mohammed has said, regard shall be had to the cultivator. there shall be left for one who cultivates his land as much as he requires for his own support till the next crop be reaped, and for that of his family, and for seed

BOOK L equitable spirit and sounder judgment of Akbar limited
CHAP VII the demand of the sovereign to one-third of the average
1818 produce of different sorts of land the amount to be paid
preferably in money but not to be increased for a definite
term of years.¹ Under more modern Governments,
whether Hindu or Mohammedan, the demand seems to
have fluctuated from a third or half of the gross produce,
to the whole of the net produce, or even to have exceeded
those proportions leaving to the cultivator insufficient
means of subsistence, and not unfrequently compelling
him to abandon in despair the cultivation of the lands
which his forefathers had tilled, and to which his strongest
affections chained him, extortion being thus punished by
dearth and depopulation.

III. According to the principles of the Mohammedan
law and the consequences to which they led, the classifi-
cation of the parties interested in the produce of the soil

This much shall be left him; what remains is Khairij and shall go to the public treasury. This is the dictum of great lawyers of the Hanifa school, Esma-el Agha of Serakhz; and Sirhan of Agraagrab directs his officers to levy the Khairij according to the holy law and the trusts of the Abu Hanifa. — Galloway 40, 41. Here is evidently the origin of the sovereign's claim to the whole of the rent. The unhappy "humble cultivator had to pay capitation tax besides.

Ayin Akbari, I. 306, 314. The term was fixed, in the 24th year of the reign, for ten years but the general assessment, or Jama-bandh, of 1581 A.D. was apparently intended to last for an indefinite period. — Ibid. Appendix.

In the south of India, Harthare Rai, of Bijnagar one of the latest independent Hindu principalities, fixed the rate at one-fourth of the gross produce, taxing it on each field, and requiring money-payment. The Mohammedan Governments exacted half the gross produce of the irrigated lands, and money-rate equal to from thirty to forty per cent. of the value of the unirrigated and garden produce. — Revenue Selections, I. 295. According to the Puranas Madhavira, wrote a law by the minister of Harthara, the king's share was one-sixth. — Wilks, I. 144. In the Western provinces the Government share was considered to be half the net produce. — Fortescue; Lords' Committee, Evidence, Question, 331. Or even half the gross produce. — Ibid. 332. But the rule authorising the exchequer to take as revenue one-half of the produce into the hands of Government is in great measure nominal; for to the unsettled districts we do not, I believe, on an average, get more than one-fourth. — Mackenzie; Commons' Committee, 1832, Evid., Question 2471. Mr Mill also thinks it impossible that such proportion should ever have been taken. — Commons' Committee, 1831, Evid., Question 3837. But he observes, correctly enough, with regard to the practice of later times, According to all I can gather from the practices of former Governments, the Government demand was never less than the full rent, in many instances probably more; not unfrequently as much more as could be raised without diminishing the number of inhabitants and despoiling the country. — Ibid., Question 3114. The state of many parts of India, then first referred to British authority showed that these checks had not always operated; and that the exactions of tyrannical and arbitrary princes, enforced through the agency of farmers of the revenue, had drained the population, and consigned extensive and fertile districts to the desolence of the forest.

was exceedingly simple. Two only were recognised, the Ryot or cultivating tenant, and the Raja, or rent-owning landlord,¹ the first earning a scanty support by his labour, the second claiming the whole of the surplus return on his property. Such were the conclusions of the first inquirers into the tenure of lands in India. There were found, indeed, persons intervening between the state and the cultivators, but these it was affirmed were in every case persons to whom the state had delegated its powers or transferred its rights: they were not—and this was in some important respects quite true—proprietors of the soil: there were no such persons,—at least, there were no persons who had a right to intercept, without a special grant to that effect, any portion of the rent or profit of cultivation. Further investigation shewed that the latter propositions were not altogether accurate: the structure of agricultural society in India was not so exceedingly simple, a variety of proprietary rights and privileges had survived the disintegrating operations of foreign conquest, foreign laws, oppressive government, and popular misconception, and required to be carefully studied and correctly understood before it could be safe or just to come to any unalterable conclusion. Traces of individual proprietary rights, of personal ownership of rent, were extensively discoverable, and, where they were faint or extinct, it was because the rapacity of the ruling power had dimmed or extinguished them.

A peculiarity in the disposition of landed property in India, which was early observable, was its distribution among communities rather than among individuals. The earliest records describe the agricultural population as collected into groups, villages, or townships, having attached to the particular village or town in which they resided an extent of land the cultivatable portion of which was sufficient for their support, and which was apparently cultivated in common.² The internal administration of

¹ So General Galloway: "The truth is, that between the sovereign and the *Reb-ul arz*, (master of the ground,) who is properly the cultivator, no one intervenes who is not a servant of the sovereign"—p. 42. "The land has been considered the property of the Circar and the Ryots, the interest in the soil has been divided between these two, but the Ryots have possessed little more interest than that of being hereditary tenants"—Thackeray, Fifth Report App. 992.

² Menu, vii. 120 and viii. 237. The Madras Revenue Board affirm the

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the affairs of the village was left, in a great measure, to the people themselves, under the general superintendence of an officer appointed by the Raja, by whom the police was regulated, the government revenue was collected, and justice was administered, in communication with the principal persons of the village. The general scheme of these village corporations has been repeatedly described. Besides the officers of the government, and the individuals who composed the community strictly so called the village comprised a varying number of persons who received small portions of the crops as the hire of services rendered to the whole and persons also not members of the original establishment, but who were allowed to reside within the village as independent artificers and tradesmen, or even as cultivators of the lands bought or rented from the proprietors. Establishments of this nature were found in their greatest completeness in different parts of the south of India, where Hindu principalities had been longest preserved but they were also met with in the western provinces of Hindustan, where their organisation had assumed something of a military character and vestiges of them were not wholly obliterated even in Bengal.

The circumstances which led originally to this distribution of the lands among detached communities, are now beyond the reach of history. It may have been the result

village system is as old as time. That venerable legislator alludes to disputes about boundaries just as they occur at present, and directs a space of four hundred cubits wide, round small villages, and twelve hundred round large ones, to be left for pasture. This could not have been done if the land had been exclusive private property for in that case the owner would have made the most of his land, and not left it waste for the public use of the inhabitants; and boundaries of fields and farms, rather than of villages, would have been disputed. — *Revenue Selections*, 1, 487.

See the description in the first volume of Mill p. 217 from the Fifth Report; *Elphinstone's History of India*, I. 120, and App. 478; and *Wills's Northern India*, I. 117. In deed of gift by the minister of Bahka Raja, king of Vijayanagar dated 1108, Baka (A.D. 1187) the following list of village officers is given. — 1. Reddi, or Peldia Reddi, head-man. 2. Karmata, accountant. 3. Parobit, priest. 4. Blacksmith. 5. Carpenter. 6. Money-changer. 7. Kaval, village watcher or police officer. 8. Potmaker. 9. Weaponsman. 10. Barber. 11. Harikada, messenger or scribe. 12. Claidri, shoemaker or worker in skins and leather. These are essentially the same as the Bars bellowati of other districts, though some of the names differ; and, in place of the leather worker some places have water-carrier. — *Ellis on Miras rights*, App. p. 36. Traces of village institutions are found by General Briggs in Bengal; Land-tax, *Supplement* although there, as in other places, the corporation, or association of persons constituting the proprietary and governing body had disappeared.

of a legislative provision, devised for the ready realisation of the revenue and convenient administration of the civil government, but there is no record of its institution or its author. Tradition ascribes it to the spontaneous agreement of mankind in an early stage of society,¹ and it may have been suggested to the first Hindu settlers in India by the necessities of their situation. Whatever may have been its origin or antiquity, there is no reason to believe that the village communities now in existence can boast of any remote date or legislative creation. They represent with differing degrees of fidelity the primitive forms from which they are copied, but they have deviated in various respects from the original type, and are in many instances, probably in all, of comparatively recent date. They are most commonly the growth of modern colonisation or conquest, and the peculiar features which they present have been modelled by the occurrences from which they have sprung.

The political revolutions of later times, and probably of earlier days also, have occasioned frequent migrations of the people of India from one part of the country to another. Centuries have elapsed since the region was fully peopled, perhaps it never was wholly occupied at any rate, abundance of waste land has for a long time past been available, and parties from the neighbouring or from distant tracts have located themselves upon unoccupied spots, with or without the cognisance of the ruling power, not likely to throw obstacles in the way of those who purposed to convert an unproductive wilderness into a source of revenue.² The settlers would of course be either of the same family, the same caste, or the same tribe, and would be linked together through succeeding generations by community of origin, as well as of property. There is an active spirit of aggregation at work in Hindu society: the very institution of caste, which disjoins the people as a whole, combines them in their subdivisions, like the process of crystallisation, which destroys the uniformity of the mass by the condensation of the particles. But this is not the only source of reintegration,

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¹ Vishnu Purana, p. 45

² See the instructions of Aurangzeb to his collectors, as cited by General Galloway, 55

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there prevail other combinations of tribe or avocation some of which would be sure to influence the movements of a body of settlers on a new soil, and unite them into a village community or corporation. The necessity of combination, in order to protect themselves against the financial oppressions of the state, or against unauthorised plunderers and assailants, would further contribute to cement their union, and would give it consistency and duration.

In like manner when the occupation of the new country was an act of violence and aggression committed against their neighbours, or against the barbarous tribes inhabiting extensive tracts in different parts of India, identity of kindred, caste, or tribe, as well as of interest, would unite the first assailants, and would extend a bond of union to their successors. Such transactions are known to have occurred within very recent periods.² In some instances one village community has fallen upon another and ousted it from its possessions: in others, a military adventurer has assembled his kinsmen and followers and, having conquered an extensive tract, has parcelled it out amongst his chiefs, very much upon the plan of a military fief. Time, the fiscal measures of the Government, and the partition of inheritance amongst the descendants of the

Instances of recent colonisation are specified by Mr. Thomson. A family of Chaudel Rajputs emigrated from the Jampur district, and settled at Pargana Matharpar where they acquired much land. The rise of some Ahir (shepherd) communities illustrates the formation of such bodies by settlement. Familiar with the forest (in the Ashtabgar district), they fixed their residence in some favourable spot and began to cultivate; and, when settlement (of the revenue) came to be made, appeared to be the most convenient persons with whom to enter into engagements for the land. — Account of the Settlement of Ashtabgar by J. Thomson, Esq.; Journal, Asiatic Society of Bengal, vol. viii. p. 84.

Mr. Thomson supposes the original conquest of Ashtabgar by Rajputs, some time prior to the twelfth century to have been the general foundation of the existing proprietary right of the soil; and recently Achar and its dependent villages are held by tribe of Kaur Rajputs. The Dharwar, (another Rajput clan), of the neighbouring estate of Kinsla, were more powerful. They attacked and massacred most of the Kaur. This took place only a few years before the cession. Some of the family fled into the neighbouring district of Ghazipur then in British possession, and have since in vain attempted to recover their rights. — J. B. A. Society viii. 84. During the course of the inquiry preceding the permanent settlement, it was found that the Pargana of Mongur was divided among the descendants of two Rajputs, to whom the family tradition ascribed the first settlement of the country under grants from the Emperor Humayun, having taken it from the wild inhabitants of the wilderness, which it then was, without the smallest vestige of cultivation. — Letter from M. Davis, Assistant Collector on Deputation, 11th August, 1790; Fifth Report, 228

conquerors, have loosened the original compact, and the village, once held by an individual upon condition of military service to a chief, may have assumed the form of a village municipality, or it may still retain many features of its original feudal character¹ In some places the original occupants have been driven away or exterminated in others they appear as serfs or slaves attached to the soil and accompanying its transfers, or being sold independently of the land²

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From these sources, — legislation, colonisation, and conquest, — and from the two latter, especially in modern times, may be derived the origin of the village communities of India, or confederations of a definite number of individuals claiming a certain extent of land as their common property, and a right to all advantages and privileges inherent in such property, subject to the payment of a proportion of the produce to the state. When that proportion absorbed all the profits of cultivation, the members of the commune who claimed the ownership of the lands were reduced to the condition — which has been ascribed, incorrectly it may be thought, to all the agricultural population of India — of persons cultivating the ground with their own hands and by their own means³

¹ Such is the case with the greater part of the Zemindaris along the western frontier of Bengal, where, while the peasantry are mostly of the wild forest tribes, Koles or Gonds, the proprietors of the villages are Rajputs. That these latter came as conquerors as late as the sixteenth and seventeenth centuries is well known amongst themselves and the origin of their possessions by allotment from the chief on the tenure of military service is also admitted. The relation between the holders of the several lots, and the representatives of the first leader, or the Rajas, is more or less perfectly preserved, but it retains almost universally some impress of its origin. See the remarks on tenures in Sambhalpur, Mill, i p 215, note. A similar state of things prevails in the Pergunnas of Palamu, Sirgaja, Chota Nagpur, and others in the same direction. An interesting account of the origin and progress of the feudal Zemindari of Palamu was printed, but not published, by the late Mr Augustus Prinsep, of the Bengal Civil Service. Mr Prinsep was disposed to find similar feudal institutions in many of the Zemindaris of Bengal and Behar.

² In Malabar and Canara, where the land was very generally divided and occupied as separate and distinct properties, the labourer was the personal slave of the proprietor, and was sold and mortgaged by him independently of the land. In the Tamil country, where land belonged more to communities than individuals, the labourer was understood to be the slave of the soil rather than of any particular person. In Telingana, where it was difficult to trace the remains of private property in the land, the labourers, usually of the degraded or outcast tribes, were free — Minette, Board of Revenue, Madras, Jan 1818, Revenue Sel i 887. Mr Thomason, describing the agricultural labourers of Azimghur, speaks of them as having been, under former Governments, predial slaves, who were beaten without mercy for misconduct, and were liable to be pursued and brought back if they attempted to escape — J B Asiatic Soc. viii 115.

³ Mill, Commons Committee, 1831, Evld 3114

BOOK I. When the further exactions of the officers of the state, and
 CHAP. II. the usurpations which in the absence of all government
 1818. they perpetrated, reduced the proprietors to extreme distress and insignificance, the village corporations were broken up, and the traces of proprietary right so completely obliterated as to suggest a belief that it had never existed. Such seems to have been the state of the peasantry in Bengal and Telungana. In other places, in Canara, in the Dekhin, in Bundelkhand, and the Western provinces, the right of property was better preserved. Where either the demands of the Government had been more moderate, or the villagers by union and courage, or combination and craft, had resisted or evaded extortion, they retained their character of proprietors, living upon the profits of their own lands. The state of the country

Thus in Canara and Bonda, here the lands had, until late date, been rightly assessed, the Government demand having been as low as one-fourth of the produce, and never more than third, the lands were generally cultivated, the proprietors sometimes cultivating portion some of them held any large estates; few averaging, in the best of times, rent of more than fifty pagodas (or about twenty pounds) a year. The respective rights of the Government to the land revenues, and of the proprietor of the land, were well known, an ancient grant to temple specified the grant to be the Government share of the rent, because the land belonged to the proprietor, and could not therefore be given away by the state.—Fifth Report, 303; *Life of Sir Thomas Munro*, II. 161.

The term village Zemindars has been generally applied to these proprietors in Hindustan.—Fortescue; Thomson, &c. Jazankara, or birthright holders, is their name in Malabar.—Board of Revenue, Madras. Amongst the Maharrats they are called Thakurs, holders of the Thal, (Taluk or land), or Watan-dars (holders of the country); Coles on the T. wealth of Lavy; Trans. Literary Society of Bombay II. 225 and in the Tamil countries of the Pandya, Mirada, or Muradars (sovereigns). Of the latter Mr Ellis observes,

Miras, originally signifying inheritance, is employed to designate variety of rights differing in nature or degree, but all more or less connected with the proprietary possession or usufruct of the soil or of its produce.—Ellis on Miras right Collections, 810. The Collections have injudiciously omitted the Appendix of this valuable document, full of important historical illustration, which no one but Mr Ellis was competent, from profound knowledge of the languages and literature of the South of India, and from enlightened experience, to furnish. In the Appendix, which with the text was printed at Madras in 1818, we find the following concluding view of Miras tenure. The Com-mendatum or proper Miras right, though founded on the principles of the general law implies peculiar privileges, and an independent enjoyment of landed property by the actual cultivator unknown to other parts of India, and confined, in fact, to those provinces of the South which formerly constituted the dominions of the ancient Tamil princes the mode of holding landed property and several of the incidents appertaining to it, are of its resemblance only but in fact, the same those which prevailed among our ancestors previously to the introduction of feudal tenures into Europe, and which is usually designated by the term allodum, with which the word *any-stal* (extra and absolute possession) is derivative meaning rationally corresponds. One of the most remarkable incidents in Miras is, the periodical interchange of lands, which, in Torda-grundatum a least, was anciently universal; the holding of them in severalty being modern practice. Now this was also practice common in the nations among whom the allodial posses-

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collectively through their head-man or head men. The shares, or the land where the land was cultivated separately might be mortgaged, or let, or sold but the act ordinarily required the concurrence of the other members of the community in whom also the right of pre-emption was vested. The alienation of the land to a stranger did not carry with it of necessity his admission to the municipality or give him any voice in the management of the affairs of the village neither did it divest the person to whom the share or land had belonged, of his right to interfere in the counsels of the community to assist in auditing the village accounts, or to receive his portion of any emoluments which were derivable from the fees paid for permission to exercise any trade or calling in the village by persons not originally belonging to it, or from any other source. Should he at any time become able to resume his land, he was at liberty to do so. A variety of minor regulations diversified the village constitution in different parts of India but the general plan and most characteristic features were everywhere essentially alike, and established the virtual existence of a proprietary right in the soil, enjoyed by certain classes of the people, wherever it had not been infringed or abrogated by the usurpations or exactions of arbitrary rule.

Occasionally an entire village might have become the property of a single individual; Munro, Mr Edward Colebrooke, Selections, 31. but in general the lands were divided into an indefinite number of subdivisions amongst the descendants of the original stock, or those holding in right of them. Their right to certain number of shares was fixed, but adjustments took place from time to time according to the pleasure and convenience of the parties interested the divisions were effected either by integral allotment, or by fractional parts of each description of the land, to be divided according to its quality. By the former method the shares were compact; by the latter they consisted of many particular spots situated in different quarters. In some places, although comparatively few the lands are undivided, yet this circumstance neither alters nor affects in any way the right of property in them. When the lands are undivided, each sharer usually continues to cultivate the same fields. A proprietary share is considered large at two hundred and fifty bāgas, an ordinary one about seven bāgas; some are as small as two bāgas.—Fortescue on Tenures in the District of Delhi, Selections, II. 404 The proprietary right may rest either in single individual or in community the latter may divide among themselves the profits of the estate, either according to their co-equal shares, or some arbitrary rule having reference to the quantity of land which each member cultivates.—Thomson; J. B. Asiatic Soc. viii. 98. In various places, what was considered the original number of shares remained unaltered but the distribution came to the same thing as their multiplication, it being in fractional parts thus, some members might have whole share, some half, or some hundredth part. This was the case in the Tanál countries and the Thak of the Mahratta villages, and Pénas and Thokas of the Western provinces, some also to have represented the original shares, and indicated the number of persons among whom the land was first divided.—Cole-

The existence of proprietors of the soil not depending upon manual labour involved of necessity the existence also of a class or classes of persons willing to undertake the task of cultivating the land, paying a rent for the occupancy transferred to them for that purpose. Such persons accordingly were found in all places where the proprietors themselves had not been reduced to the level of a labouring peasantry, as was the case in much of the territory of the Peninsula, in the Mahratta provinces, and in Hindustan. They were not wholly wanting even in Bengal.¹ It would occupy too much space to specify the various tenures by which they hold, and it will be sufficient to advert to them as distinguishable into two principal classes the one possessing a right of perpetual occupancy as long as the stipulated rent was paid, the other having only a temporary possession, either for a definite number of years, or being tenants at will. The former might have tenants under them, and sub-let the land, remaining themselves responsible to the individual

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brooke Stokes, &c. In the South of India the lands are of two kinds, privilege and proprietary: the former belong to the whole village, and a member can sell his share only; the latter may be cultivated collectively or separately. In the former case shares only are subjects of sale, in the latter the land is saleable.—Minute, Board of Revenue, Madras, Selections, I 904. The other statements of the text rest also upon these authorities.

¹ In the Western provinces there were the Kudeem, or anelent Ryot, the Pdhil, the itinerant or temporary Ryot, and the kamra, or labourer; there was also the Kamra, or partial cultivator, an artisan or the like, cultivating a few bigas at his leisure.—Fortescue, Selections, I 406. In Azimghur there were the three classes, but generally resolved into two: Ashraf, respectable, and Arzal, low.—Thomason, J B As Society, viii 112. In Bengal the cultivators were long since distinguished as holding khud kasht and Rai-kasht lands, the former cultivated by a permanent and resident, the latter by a temporary and migratory tenant.—Harrington Analysis B Regulations, Introduction. The Zemindari Regulations have merged the proprietor into the khud-kasht cultivator, who was probably the permanent tenant. But there are other designations, less known, which preserve the distinctions, the Praja, (or subject), having the right to sell, the kalpa, paying him rent, and, while so doing, having the right of occupancy, and the Patti-dar, holding of the same by annual lease.—Briggs, Land-tax of India, Supplement, 500. In the South of India, in the Tamil countries, tenants are termed Paya-karis, cultivating persons: the permanent, Ul-kndi Paya karis, the temporary, Para-kndi Paya karis. In Malabar, Patom karis, rent payers. In Canara, Gahinis, literally tenants, Mulagahinis, radical or permanent tenants, Chali gahinis, moveable tenants.—Madras Revenue Board, Selections. In the Mahratta countries the tenant is termed Upari, an "over" or "outer" man, an alien, Sukhwai, an abider at ease, a Mahiman or guest, but the only tenure here known seems to be that of a tenant by agreement or lease.—Stokes, Land Tenures of the Dekhin. Of these denominations, some are Sanscrit, some Arabic, some vernacular, but they are all significant, and, had their significations been properly understood, little doubt could ever have been entertained as to the character of the persons to whom they were applied.

BOOK I. or community of whom the land was held they were also
 CHAP. VII. allowed to mortgage, but not to sell. The tenants for a
 1812. term were bound of course by the tenor of their agree-
 ments the tenants at will were often little better than
 mere labourers, and sometimes were degraded to the con-
 dition of slaves.

From this sketch of the distribution of landed property in India, it follows that, whatever might have been the law or the theory individual proprietary right, identifiable with ownership of rent, had a very extensive existence even to the latest periods of native administration. The precise nature of the title under which it was enjoyed was not always the same, nor was it always perhaps easy of verification but, whether originating in ancient institutions, in colonisation, or in conquest, it had a real and substantial vitality and animated the exertions of the great body of the cultivating population, until it was destroyed or wrested from them, partially at least, by the progress of events, and by the extortion, injustice, and ignorance of their rulers.

IV The produce of cultivation being divided between the proprietor or cultivator and the sovereign, it was necessary that the latter should provide agents to determine and realise his share. With this view under the Hindoo system an officer was placed, as has been noticed, at the head of every village or township, who was accountable to a superior in charge of ten villages he again was responsible to the superintendent of one hundred villages, and he to the head of a thousand villages. Thus last, the governor in fact of a province, paid the revenue into the royal treasury. The Mohammedan Governments adopted divisions, corresponding in a great measure with those of the Hindus, but the organization was less definite and in the anarchy of the declining empire, and in the general employment of the agency of revenue contractors, little trace was left of the primitive institutions beyond the head-man of the village, and the chiefs of one or two

Memo, vii. 119, 121; Elphinstone's History of India, 1. 39

In Bengal we have the *Grāma* or *Gaon*, the village; the *Taluk*, the *Par* *gunas*, and the *Taluk* or *Zamindari*, for the larger divisions.—Harrington's *Annals*, ii. 67. Among the *Mahrattas*, the *Patal*, the *Désaukh*, and *Sir-dés-mukh*, for the gradation of officers.—Bykes; *Journal Royal As. Society* ii. 236.

large but undefined portions of territory, the former designated in various parts of India as Mokaddam, Mandal, or Patel, the latter known chiefly in Bengal and Hindustan as Talukdar or Zemindar

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The head-man of a village was the only functionary that was identified with the primitive institution, and who had lived on with it through all the revolutions which India had experienced¹ Although, however, the office subsisted, it had not escaped alteration The tendency of all public employment in India, from the office of the prime-minister to the function of village watchman, to become hereditary, is familiarly known The station of head of a village followed the prevailing bias From being an officer nominated by the sovereign,² he came to claim the post in virtue of his descent the family became permanently grafted upon the village, and the representative of it regarded the superintendence of its affairs as his right It is not unlikely that from the first the duty was entrusted to a leading member of the community, who, while he was acceptable to his townsmen, would be most competent to promote the interests of the state by his influence and responsibility Time wrought other changes the family decayed or disappeared, new men usurped the authority, or were elected by different portions of the community The notion of property as well as privilege became attached to the succession, and the person holding the office sold or mortgaged it, or a part of it, and introduced a colleague³ Different castes found admission into the

¹ "In every village, according to its extent, there are one or more headmen, known by a variety of names in various parts of the country, who have in some degree the superintendence and direction of the rest I shall confine myself to the term 'Mandal' he assists in fixing the rent, directing the cultivation, and making the collections" — Minute by Lord Teignmouth, Fifth Report, 193 He particularises the Mandals of Birblum, Purna, and Rajshahi, districts of Beugal "Amongst the crowd of proprietors, the managers and leaders of the villages are the Mocuddims These have been from time immemorial the persons through whom the rents of the village have been settled and collected, and who have adjusted the quota of each sharer" — Fortescue, *Selections*, i 408

² In the Mahratta countries, the confirmation of the head of the state continued to be regarded as essential to the validity of the Patel's authority "The Patels about Poona say that they hold their Patelships of the Emperor of Delhi, or one of the Sattara kings, but many of them must hold of the Peshwa." — Township of Lony Bombay Trans iii 183

³ The Patelship is hereditary and saleable, but the office is looked upon as so respectable, and the property attached to it is considered so permanent, that there are few or no instances of its being wholly sold, although part of it has been so transferred This has given rise to there being two Patels in many villages, and in some three or four — Bombay Trans iii 184

BOOK I. village society each having its own head or different
 CHAP. VII. branches of the same family chose to be severally repre-
 1818. sented.¹ The headship was thus divided amongst fewer
 or more individuals. Nor was this a partition of a barren
 title or a post of honour it was an apportionment of
 shares in certain fees, perquisites, and profits attached to
 the situation, founded upon the provision made originally
 for the remuneration of the head-man, but extended to a
 variety of objects not contemplated in the primary insti-
 tution. From these and other sources of pecuniary benefit,
 the office became in some parts of India a means of ac-
 quiring wealth, and an object of competition.

The officers to whom the Mohammedan designations of
 Talukdars and Zemindars applied, indicated less distinctly
 their Hindu original. They differed in little except in a
 greater extent of authority and amount of collection, and
 not always in that and it will be sufficient in this place
 to confine our inquiries to the latter. Conflicting specu-
 lation has confounded our conceptions of the character
 of the Zemindar some of the perplexity has arisen from
 the application of the term to different classes of persons,
 and some to the combination of different characters in

¹ General Briggs found in villages near Calcutta, peopled by Mohammedans and Hindus, four Masdaks; three for the former one for the latter — Supplement, Land-tax. And in villages near Madras three Padda-kars, or head-men; one for each caste of the population. — Supplement, Coll., &c. Colonel Sykes gives an amusing and instructive account of the solemn arbitration of the disputes in which two Pabals of villages had sold third of the office to

third party for money wherewith to pay the public revenue. They subsequently conferred the full advantages which the transfer was calculated to convey — viz. a pair of shoes a-year from the village shoemaker two bundles of fire-wood on Festival-days from the village smith, three pots of water daily from the watchmen, and third of all sheep heads offered to the goddess Bhavani. What was still more valuable, similar partition was exacted of the rent free lands attached to the office, and of all Lands that might lapse from families becoming extinct. — *Tanwaras of the Dekhin; Journal Royal Asiatic Society*

The founder of the family of Boodhis was Patal Madhaji effected the title, whence the popular saying. Madhaji Boodhis made himself master of India by calling himself Patal. — Malcolm, Central India, l. 134. Hojkar the Rhonda Raja, and others, took not only the title but claimed the office and its emoluments in particular villages. — Sykes, Land Tanwaras.

A Taluk comprehended only a few villages or a small tract of ground. The Talukdar or holder of dependency sometimes held under a Zemindar sometimes immediately under the Government, to whom his collections were paid. In the language of the Company's Regulations the latter is called an independent Talukdar. The Rhoda name, Choudri, (a word of uncertain etymology but apparently derived from Chakritha-dhari, the receiver of fourth part,) as sometimes applied to Zemindar — Har- ington's Analysis, II. 61.

the same class of persons. In some places the title Zemindar signifies the proprietor of the soil, either as landlord or cultivator, in his individual capacity, or as a member of a village community, in some places it denotes a sort of feudal proprietor, either paramount or subordinate and in others, an individual responsible to the Government for its share of the revenue of a district of greater or less extent, deriving this responsibility from inheritance, and claiming also as a hereditary right an allowance out of the Government share for maintenance, and as compensation for the trouble and responsibility of collection.¹ It was in this latter capacity that the Zemindar became first conspicuous in the fiscal arrangements of the Governments of British India, and was regarded as having a claim to property in the soil.

Nor was this notion altogether without foundation. The whole of the district for the revenues of which a Zemindar was accountable, or any very considerable part of it, might not be his absolute property, but there is reason to believe that he was rarely a mere functionary of the Government, having no property nor interest whatever in the soil. In his case, as well as in that of the head of a village, individuals were no doubt appointed to represent the Government in a particular locality, because they had extensive possessions in it, which conferred upon them local authority and influence on the one hand, and on the other afforded to the state a substantial security for the realization of its demands. The additional power which his relation to the Government placed in his hands was

¹ Of the first class are the Zemindars of the Western provinces, as already noticed, and of the second, the Zemindars of the border districts of Bengal, also adverted to. The Zemindars of Orissa, according to Mr Stirling, are also the representatives of feudal chiefs, holding their lands by the tenure of military service, *Asiatic Researches*, xi 229. So are the ancient Zemindars of the Northern Circars, and the Poligars of the Dekhin appear to have had the same origin. The last class were found chiefly in Bengal, but also in Hindustan. Their claim to a portion of the Government revenue only is clearly expressed in various *Sunnuds* or grants of the Mogul Government. One of these, quoted in the original by Mr Thomason, dated 1609, is a grant made by Jehangir to a converted Hindu, and his descendants for ever, of twenty-four *Pargannas* in the province of Allahabad, from the *Jumma* or annual revenue of which he is to deduct one hundred and twenty-five thousand rupees for his *Naukar* or subsistence and one per cent for Zemindari dues (*ibwab-i-zemindari*) — *J Bengal Asiatic Society*, viii 91. Mr Shore (Lord Teignmouth) refused to admit a *Sunnad* to be a foundation of Zemindari tenure, Fifth Report, 204 but that was because he maintained the Zemindars to be proprietors of the land. Mr Grant refers their origin to the time of Akbar — *Ibid* 632.

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liable to be used by the Zemindar for his own advantage, and opportunities were not likely to be wanting which enabled him to appropriate to his own uses the rights both of individuals and the state. The latter not unfrequently waived its own claims in his favour by grants of waste land, or by the assignment to him of the rent of different places in perpetuity for its subsistence—the right to the hereditary possession of which was admitted even when the Zemindar was relieved from all share in the collection of the revenue, was incapable by reason of age or sex of performing the duty or when he declined to engage for the amount of the Government claim.¹ Besides this assignment, the Zemindar received a per-centage upon the actual collections, or what were understood to be the actual collections—and he was authorized to impose, for his own benefit, taxes upon the industry of the people,—an authority of which he amply availed himself. The

For this the term is *Kāshkr* literally source of bread. General Galloway explains it "bread of work." It is much the same thing meaning subsistence-money. In the Sumud last referred to, it was specified as to be deducted from the whole rent, but it was more usually the rent or Government share of the produce of certain tracts of lands within the Zemindari set apart for the support of the Zemindar—Harrington, II. 68 and Fifth Report, §13. Mr. Trevelyan identifies *Kashkar* with *Mijol*, the own proper cultivated land of the Zemindar—Evid. Com. Committee, 1833; Question, 3037. Agreeably to the tenor of the Sumud quoted in the preceding note, the *Kashkar* was a pension assigned upon the revenue without specifying any obligation to collect the revenue, and hence the foundation, probably, of all such claims. It was rather

special grant to individuals than to the Zemindars as a class, and consequently was retainable where the duty of collecting the revenue was resumed or declined. There was another allowance, the *Mahkna*, the origin of which is not obvious—property it denotes the right of the *Malik* or owner; but, until the Zemindars were acknowledged to be owners by the British Government, it did not belong to them. It not improperly originated (as General Galloway supposes) in the reservation to the owner of a part of his proper share, amounting to ten per cent. of the estimated rent where the whole land had been expressly assigned away from him—p. 91. In the course of time it seems to have been appropriated by the Zemindars, and to have been converted by them into an hereditary claim for ten per cent. on the Government collections—and, finally it was secured to them professedly in the capacity of proprietors of the soil, and therefore independently of official functions, by the imperfect knowledge of the British Government.—Regulation viii. 1793, clause xlv. The same Regulation secured to zemindars their *Kashkar* lands also, as long as the joint amount of *Mahkna* and *Kashkar* did not exceed ten per cent.—Cl. xxvii. Certainly the Zemindars had no right to *Mahkna* independently of employment in fiscal duties; and their right to *Kashkar* depended upon the nature of the original assignment under which it was held, or the degree in which it was their *Kij* or own property.

The unwarrantable exactions of the Zemindars are alluded to in the instructions of the Bengal Government of 1789; and some striking illustrations are given by Mr. Blean in his report, dated April, 1818. One man lays his head, and celebrates his occupation of it by religious ceremony; more than double the cost is exacted from his Ryots the birth of grandsons costs him twelve hundred rupees; he collects from them on this account five

distracted state of public affairs, and the imbecility of the native Governments, left the Zemindars still more at liberty to pursue schemes of personal aggrandizement and profit, to encroach upon the rights of the people, and withhold the dues of the Government, until, in some instances at least, they raised themselves to the station of petty princes, levied troops and built forts, and defied the sovereign and his immediate representatives. To the people, the encroachments of the Zemindars upon the Government claims were either acceptable or indifferent, and they were not without equivalent advantages, which reconciled them to a curtailment of their own rights. As long as they were allowed to remain upon their lands, it made no difference to them whether the rent they paid went to the Zemindars, or the viceroys of the Sultan. The former lived and died among them, generation after generation, they mixed with them on a variety of occasions, they expended money upon public festivals, and supported public institutions, they kept up a large following and an expensive household, and, through many different channels, refunded to the peasantry of the country the money which had been extorted from them. The revenue was spent among those from whom it was raised. When, therefore, the Zemindar was not more than usually oppressive and extortionate, when he was satisfied with the proportion of the produce which usage had established to be his due, and with the occasional imposts or cesses which experience had taught the cultivators to anticipate, he was looked up to with respect, or even with affection, and the people were ever ready to take up arms in defence of his person and possessions. It was not surprising, therefore, that he should have been confounded, by those

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thousand. Another has his house burnt, he not only extorts more than the value, but makes it an annual permanent charge to the Ryots. A third makes an annual progress through his estate, travelling in great state, the Ryots are taxed with the cost. A Zemindar buys an elephant, the Ryots pay for it. Every public or private religious ceremonial is an occasion of taxation: not a child can be born, not a head shaved, not a son married, not a daughter given in marriage, not a member of the family dies but it is a plea for extortion."—Sisson, Report on Rungpore, Selections, I 390. This was the state of things in Rungpore, so late as 1815, and under the British Government. It could not have been much worse under the native Governments. It was the same in the South of India, although there these extra cesses are said to have been brought to the credit of the Government, no doubt very imperfectly.—Com. Committee, 1832, Col. Sykes, 1957.

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who first contemplated him in this condition, as the hereditary landlord of a large estate and the proprietor of the soil although, had they duly considered the limited amount of his acknowledged share of the proceeds of that estate, it might justly have inspired doubts of the validity of his claims to the produce of the whole. It had that result with some and hence arose one argument in favour of the proprietary right of the sovereign, upon which the measures of the British authorities in 1793 were founded.

V The proceedings of the Marquis Cornwallis, recognising the Zemindars of Bengal, Behar and Orissa, as proprietors, and fixing for ever the amount to be paid by them, have been already detailed their results also, as far as they had been then ascertained, have been described. The early arrangements adopted for the settlement of the revenue of the Ceded and Conquered provinces have also been adverted to and it only remains to notice the course of proceedings which had been followed at Madras. The territory subject to Bombay was still too circumscribed to require separate notice.

Immediately after the conclusion of the perpetual settlement in Bengal, the home authorities directed its extension to the Presidency of Madras. Its introduction was delayed by the difficulty of discovering individuals with whom the

¹ Vol. v. 306. It may be convenient here to refer to the following authorities. The proprietary right of the Zemindars was advocated at an early date by Mr. Francis, in opposition to Warren Hastings, who urged in favour of proposed commissions of inquiry that it would tend in measure to the Hyots the perpetual and undisturbed possession of their lands. Mr. Francis replied,

The state does not consist of nothing but the Moler and the Ryot; nor is it true that the Ryot is the proprietor of the land. The true landlord is the Zemindar. — Minutes of Hastings and Francis, Nov. 1776. M. Moore says "I consider the Zemindars as proprietors of the soil & the property of which they succeed by right of inheritance." — Fifth Rep. 613. The doctrine was next advocated by M. Rouss, in a dissertation on landed property in Bengal, 1781. On the other hand, it was stoutly contested by M. Grant. There is not in the Northern Circars any more than within the rest of the wide circle of the British dominions in India, with the exception of few instances, single individuals among the native Hindoos, calling themselves Rajas or Zemindars, who have the smallest pretension to form right, or fact, to an inch of territorial property. — Fifth Rep. 613. But he erred in confining the right of property exclusively to the sovereign. Mr. Piche at somewhat later date, 1788, took up the claim of the Hyots or headmen, at least, in the neighbourhood of Madras. — Fifth Report, 716. Most recent evidence is adverse to the claim of the Zemindars in any other character than that of hereditary collectors or farmers of the public revenue; but, inasmuch as it is exclusive, it is just as erroneous as all that has preceded it. Mr. Tacker's definition is also applicable in many instances, though not universally. The Zemindar as the hereditary administrator I should say of the revenue, with beneficial interest in the land. — Commons' Committee 1825; Ryot. 1812.

engagements were to be concluded, for the intervention of persons analogous to the Zemindars of Bengal between the cultivating population and the Government was generally unknown. The reiterated injunctions of the Court of Directors, and the positive orders of the Bengal Government, caused Zemindars to be discovered or created, and several regulations were passed in the course of 1802, declaratory of their proprietary right, and announcing the principles of a perpetual settlement, which, after some interval, was effected in the districts that had been longest subject to the authority of the Madras Government¹

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Whilst these arrangements were in progress, a settlement on entirely different principles had been commenced in the territories latterly conquered from Mysore. As their circumstances and resources were imperfectly known, it was deemed prudent, before forming any assessment in perpetuity, to institute a detailed survey with a view to the determination of its amount, and in the interval to conclude temporary arrangements with the actual occupants of the lands. These proceedings, undertaken for the ultimate purpose of effecting a permanent Zemindary assessment, gave rise to a new system of revenue administration, since designated Ryotwari, or a settlement individually and immediately with the Ryots, meaning by the term the actual cultivators of the soil. The survey was conducted by Colonel Reade, having for his assistants Lieutenants Munro, Macleod, and Graham, the former of whom, afterwards Sir Thomas Munro, became subsequently more especially identified with the system². The objects they were directed to determine were, the extent of the land in cultivation, the quality of the different sorts of land, the tenure by which it was held, the value of the different crops, and the share of the produce to which the Government could justly lay claim. An annual adjustment was to be made with

¹ The Northern Circars, the Jagir, part of Salem, Madurai, and Tinnevely.

² Military collectors were appointed to this duty by Lord Cornwallis expressly because 'few of the civil servants were acquainted with the country languages, and were therefore obliged, both from habit and necessity, to fall into the hands of Dubashes (interpreters)'. — Letter to the Court of Directors, May, 1792, 11th Report, 744. It appears that the implied rebuke was not without effect, as in the subsequent settlements several civilians were employed, although this was the effect of positive orders from Marquis Wellesley, repeatedly confirmed by the Court of Directors, that civilians only should be so employed. — Commons' Committee, 1832. Public App (M)

BOOK I. each cultivator for the land he cultivated, at a maximum
 CHAP VII. money rent for each field, according to the circumstances
 1818. and capability of the land, whatever might be the produce
 the amount to admit of reduction where the necessity of
 reduction was shown, and to vary from year to year, until
 the inquiry should be sufficiently matured to allow of its
 being determined for ever

The proceedings of the revenue survey were first directed to the districts of the Baramahal and Salem. They were extended to the Ceded Provinces above the Ghats, after the capture of Seringapatam, under the conduct of different officers who had been mostly trained under Colonel Read. There was some variety in their methods of discharging the duty and still more in the rate of their assessments but their operations were equally based upon the measurement of the lands, both cultivated and waste the determination of their fitness for particular crops the money valuation of the estimated produce of the land in cultivation, and its partition between the cultivator and the Government the rate varying from one-third of the supposed value of the gross produce to little less than a half, or forty-five per cent. The measurements and valuations

Letter of Colonel Munro to the Board of Revenue, 20th May 1806, with instructions to the surveyors, &c. — Fifth Report, 782.

The revenue surveys under the Madras Presidency were not regulated by any uniform rule, and in some respects were, perhaps, defective in principle. The most ample discretion was vested in the local officers as to how this duty was imposed in each district; and the details naturally varied with the particular views of the individual. — Campbell on the Land Revenues of India; Commons' Committee, 1822, App. 44. See also the Reports from the collectors Munro, Ravenshaw Hardin, Garrow Wallace, &c. Fifth Report, 744.

In the first instance, the land was distinguished into three sorts. *Banja*, wet, or that which was supplied with water by irrigation; *Pampa*, which depended wholly upon rain in these, rice and various other grains were reared. The third kind of land was that fit for miscellaneous products other than grain — tobacco, pepper, cotton, and vegetables. Each of these was subdivided into variety of species, according to their fertility. As many as twenty distinctions of each class are enumerated in Colonel Munro's instructions to his assessors but they were directed to restrict their specifications to ten kinds of dry land, eight of wet, and six of garden ground. — Instructions, &c. as above cited.

Colonel Munro observes of the Ceded districts, and of the Dakhn, that the mode of assessment in force there limits the Ryots to two-thirds of the gross produce, but reduces it in fact nearly to half. His own assessment was forty-five per cent., but as permanent rate he proposed to reduce it by one-fourth; so that the total being

Defect Government share	45
Less one-fourth	11½

Final deduction

Leaving to the Ryot per cent.

22½

86½ — Fifth Report, 345.

were made in the first instance by native surveyors, but the final assessment by the head collector himself in personal conference with the Patels and principal Ryots of every village. Reference was also had to the recorded collections of the native Governments, and, where the total of the survey assessment exceeded it materially, some remission was granted. Remissions were also made upon the realisation of the year's revenue, if the season had proved unfavourable or the crops defective.

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The incidents of the Ryotwar settlement attracted the attention of Lord William Bentinck during his administration of the government of Madras, and led him to the conclusion that the Zemindari system was incompatible with the true interests of the Government and the community at large. The right of private property in the soil, ascertained by Colonel Munro to exist in Canara, satisfied him that, although similar rights might elsewhere have been trodden down by the oppression and avarice of despotic authority, yet they still existed, and were to be discovered in every village. To create Zemindars, and invest them with a property to which they could have no claim but the arbitrary will of the state, was neither calculated to improve the condition of the people, nor provide for the future security of the Government.¹ The Zemindari settlements were in consequence arrested, and the principle of the formation of a permanent settlement with the Ryots was thenceforth to regulate the revenue arrangements at Madras. The determination was of short duration.

The survey assessment of the Ceded provinces above the Ghats was scarcely completed² when the Government of Madras was induced to entertain a doubt whether it was not desirable to relinquish the Ryotwar system, and substitute for it some plan of settlement approximating more nearly to that of estates permanently assessed. The Board of revenue to whom the subject was referred, adopted a view unfavourable to the continuance of the Ryotwar system, chiefly on the grounds of its incompatibility with the judicial regulations recently introduced at Madras, by which all questions of revenue were removed

¹ Minutes of Lord W. Bentinck, and Memoir of Mr. Thackeray, Fifth Report, 912.

² It commenced in 1802, and was finished in 1807.

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from the cognizance of the revenue authorities to regular courts of justice. As long as a country was unsettled, and great discretionary authority was vested in the collector the Board admitted that a survey settlement with the Ryots was well calculated to develop the capabilities of the country and detect and remedy abuses but when the settlement was effected, and regular courts of law were established, the power of discretionary and summary decision was necessarily withdrawn from the collector and all disputes were referable to legal tribunals, which could not possibly provide for the numerous cases that so many and such minute disputes, as must arise under the Ryotwar system, would bring under their cognizance. The permanence of the Ryotwar system depended also upon the reduction of the assessment, as proposed by Colonel Munro, by one-fourth of its amount; a sacrifice which the exigencies of the Government did not allow it to contemplate. The Board therefore recommended, and the Government resolved, that the Ryotwar plan should be abandoned, and that of village leases substituted the villages being let to the head of the village, or principal cultivator for a term of three years, for the annual payment of a sum determined by the aggregate collections of former years, or the survey rent where it could be depended on. The regulations of the Government, it was asserted, were fully adequate to protect the Ryots against the oppression of the renter. The course thus pursued was sanctioned by the Court of Directors, who at this period seem to have been persuaded that no advantage was to be expected from the further prosecution of the Ryotwar assessments. In finally approving of the arrangement

¹ The question was first brought forward and was fully treated by Mr Hodgson, who had been member of committee appointed to inquire into the causes of the failure of the permanent settlement in Dondra. — *Selections*, I. 481. It is also worthy of remark, that at this date Colonel Munro had gone to England, and Sir George Barlow had succeeded Lord W. Bentinck at Madras. The great advocate of the Ryotwar system was absent, and the head of the Government was naturally biased in favour of a system large portion of which had engaged his attention for twenty years, and which he had deliberately resolved on accelerating in the Ceded and Conquered provinces of the General Presidency. — *Memoirs of Mr Colebrooke*, Vol. I. 43.

Revenue Letter from Fort St. George, 24th Oct. 1808; *Selections* I. 483.

Extracts of Despatches from the Court, 30th August, 1809. The Court also dwell upon the obvious defects of the system — the numerous evils of investigation which it involves, the necessary employment of countless native agents, the impossibility of effectually preventing their malpractices, and the difficulty of adjusting the rents to all the varieties of seasons and public

however, they intimated that they were not anxious for the early extension of the principle of permanency into any of the territories into which it had not been introduced, and restricted the Madras Government from concluding such a settlement in any district without the previous sanction of the Court¹

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The prohibition against concluding a settlement in perpetuity in any of the Madras territories was announced scarcely in time to prevent the Government of Fort St George from pledging itself to the measure. The results of the triennial settlement, although in several instances unfavourable, were considered sufficient guides to the determination of the utmost capabilities of the land, and the consequent limitation of the Government demand. The benefits of the measure required, it was affirmed, no discussion, and the only points for consideration were the time and mode of carrying it into operation. With regard to the former, it was concluded that the period had arrived at which the Government might proceed to a final settlement of the land revenue without any risk of compromising the public interests, and, with regard to the latter, that the preferable method was that of the Mouzawar or village settlement. It was resolved, therefore, to proceed at once to conclude a settlement for ten years with the heads of the villages singly, or with any respectable inhabitants of the village or district, or, in the event of their refusal, with any responsible individuals, conditioning that the amount of revenue to be paid by them should become a permanent settlement at the end of ten years if approved of by the Court². Their approval was not to be expected and, in the reply of the Court, the grant of the proposed decennial leases was prohibited, or, if already granted, they were to be declared terminable at the end of the ten years. The principle of permanency was discarded, and positive orders were given for an

events, and conclude, that, "although the plan intelligently followed up might be well calculated to discover the resources of a country, yet it was not to be preferred for constant practice, and the doubt which Lieut -Col Munro has properly stated, whether it be equally well fitted for the improvement of a country as for the discovery of its resources, would, they were strongly inclined to believe, be resolved in the negative" — *Selec.* 1 598

¹ The date of this letter, Dec. 1811, accounts for the change of opinion which it expresses — *Selections*, 1 600

² Letter from Fort St George, 29th Feb 1812, *Sel.* 1 513

BOOK I. immediate return in all possible cases to annual and individual settlements with the cultivators—to the Ryotwar assessments. The orders were complied with. Sir George Barlow was presently afterwards removed from the government of Madras, and the revenue discussions terminated for the present at that Presidency.

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The discussions in Bengal turned principally upon the question of permanency. With whom the settlement should be made had scarcely yet become a subject of consideration with the Government, which looked every where for Zemindars but among its functionaries, and particularly in the unsettled districts, a conviction had begun to spread that the question of tenure was still to be investigated. The fact was brought to the notice of the Government more distinctly than it had hitherto been by the members of a special commission which had been appointed to superintend the engagements that were to be concluded with the landholders in the Ceded and Conquered provinces upon the approaching expiration of those which were in force. It was at the same time announced to the Zemindars and other actual proprietors of land in the Ceded and Conquered provinces, that the revenue which might be assessed on their estates in the last year of the settlement which was now to be made should remain fixed for ever in case the Zemindars were willing to engage for the payment of the public revenue on those terms in perpetuity and the arrangement should receive the sanction of the Court of Directors.

The commissioners, Messrs. Cox and Tucker entered upon their duties at the end of 1807. Early in the following year they submitted a report of their proceedings, and a description of the several collectorates in the districts which they had visited and they came to the conclusion that a permanent settlement of the revenue of the Western provinces was at that moment premature, and might be injurious to the people, while it would be necessarily attended by a material sacrifice of the public resources. The right of property in the cultivated lands

The letter of the Court is dated 16th December 1813; *Sol.* i. 526. In the following August, long and able minutes of the Board of Revenue is recorded in vindication of their views and proceedings. *Ibid.* 577.

Regulations x. 1806; vi. 1806.

Selections, i. 48.

was in many cases contested. It remained to be determined with what parties a settlement should be effected. Lands were held free upon tenures the validity of which required proof, and there were extensive waste lands of which the rightful appropriation was to be ascertained. At least a fourth of the arable land was yet uncultivated, and neither the resources of the provinces nor their means of improvement were known. Although, therefore, professing to be fully aware of the advantages which might be expected from a perpetual limitation of the Government demand, the commissioners recommended that the announcement of a permanent settlement should be suspended, and that the period for which the engagements were to be renewed should be devoted to the diligent accumulation of the information essential to its establishment on safe and equitable principles. Their recommendations were at variance with the established opinions of the Supreme Council. Mr Colebrooke, one of the members, objected to their reasonings, that they were the same which had been overruled or refuted in the discussions preceding the permanent settlement of Bengal, and that experience had confirmed their fallacy, as the design of the permanent settlement of 1793 had been fully accomplished in that part of India. The same advantages were therefore to be expected from the application of a like measure to other places, and the Government was pledged, by the terms of the preceding regulations, to its immediate adoption in the Ceded and Conquered provinces¹. Mr Lumsden, the other member of Council, although differing in some respects from his colleague, came to the same conclusion, and Lord Minto, after a deliberate consideration of all the proceedings, declared himself satisfied of the sound policy, or rather the urgent necessity, of no longer delaying to settle the revenue assessment of the Western provinces in perpetuity². The determination of the Government was disapproved of in England. The Court of Directors declared, indeed, that they neither meant to undervalue the advantage of the permanent settlement in Bengal, nor to desert the principle on which it was formed, but it was evident that the

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¹ See the purport of the regulations referred to in a former place, p. 82

² Revenue Letter from Bengal, September, 1808

BOOK I. principle was reluctantly entertained, and that doubts
 CHAP. II. began to be suggested whether its consequences were not
 113. embarrassing to the Government, without yielding an
 equivalent benefit to the people.¹

The expense of any scheme of administration must be proportionate to the advance of a state in wealth and power. The more numerous the people the more extensive the territory the more complicated the internal and external relations the more costly must be the machinery of the Government. The golden age has not yet come back and from time to time all countries must be placed in situation in which an unusual application of all available resources is indispensable for their safety. It were most impolitic, therefore if it were possible to fix for ever insurmountable bounds to the public revenues in ignor-

a source of revenue to any extent which may not be in excess of the fair claims and reasonable expectations of the agricultural population, and which is consistent with their own usages and opinions

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With respect, also, to the interests of the agricultural population, the advantages of a permanent settlement are in a great measure illusory. The basis upon which it rests is a proportion of the produce, a third or a half, and this is then determined to be a definite and unvarying quantity. But it is universally admitted that it is almost impossible to ascertain with precision the absolute total produce of any given portion of land, and the proportional produce must be fixed therefore in most cases by conjecture, involving one of the well-known evils of the permanent settlement—great inequality of assessment. The total produce, indeed, cannot be fixed by regulation: it must vary both in quantity and quality with the amount of labour and skill bestowed upon its production, and upon the recurrence of favourable or unfavourable seasons. The proportion, however, being a fixed unvariable amount, does not fluctuate with the causes of fluctuation, and, in the event of peculiarly unpropitious circumstances, this amount may be equal in quantity, not to a half, but to the whole of the crop. In answer to this it may be said, that in favourable times the fixed rate may bear a lower proportion to the whole, and that a bad year consequently is compensated for by a good one, but what then becomes of the principle of permanency, for the cultivator pays at different periods a different rate of rent? To have to make provision, whilst he prospers, against a possible reverse, subjects him to uncertainty as much as if his payments varied from year to year: and to suppose that the Indian cultivator will exercise such foresight, is to expect a total revolution in his character and habits. The futility of such an expectation was shown in the immediate effects of the permanent settlement,—the ruin of the greater number of the Zemindars, and the sale of those lands of which they had been constituted proprietors, for arrears of revenue.

If a variable ratio is unavoidable when calculated upon the produce in kind, it is still more obviously inevitable where, as in the case of the permanent settlement, the

BOOK I. Government demand has been calculated upon the estimated money value of that produce. That this value
 CHAP. II. should remain unaltered for ever is as impossible as that
 113. society should stand still. A stagnation less to be looked
 for in India than in any other part of the world amid the
 elements of incessant change that are daily springing up
 from the novel ascendancy of European principles and
 forms of civilization. A fall in the price of silver and
 augmentation in the prices of labour and commodities
 are a virtual abatement of the revenue assessment; a rise
 in the value of silver and fall in the price of grain, are a
 virtual enhancement. The same might be the result of
 an extraordinarily abundant harvest, and consequent di-
 minution of demand by which prices might be so depre-
 ciated, that the sale of a farmer's whole produce might
 fail to realize the fixed money value of the Government
 share. It is evident, therefore, that a permanent settle-
 ment, or an unvarying amount of revenue derivable from
 a money valuation of an unchanging quantity of produce

